

**Strathbogie Shire Council**

# **Council Meeting Minutes/Decisions**

**Tuesday 20 August 2024**

# **Minutes/Decisions**

## **Council Meeting**

**Tuesday 20 August 2024 at 6.00 pm**

**Meeting to be held at the Nagambie Lakes Regatta Centre and livestreamed on Council's website:**

<https://www.strathbogie.vic.gov.au/council/our-council/council-meetings-and-minutes/>

### **Administrator**

Peter Stephenson

### **Officers**

Tim Tamlin

Amanda Tingay

John Harvey

Rachael Frampton

Braydon Aitken

Kerry Lynch

Interim Chief Executive Officer

Director People and Governance

Director Sustainable Infrastructure

Director Community and Planning

Manager Planning and Investment

Governance Officer

## Meeting Procedure

### 1. Welcome

### 2. Acknowledgement of Country

We acknowledge the Traditional Custodians of the places we live, work and play.

We recognise and respect the enduring relationship they have with their lands and waters, and we pay respects to the Elders past, present and emerging.

Today we are meeting on the lands of the Taungurung peoples of the Eastern Kulin nation, whose sovereignty here has never been ceded.

### 3. Privacy Notice

This public meeting is being streamed live via our website ([Council Meetings and Minutes | Strathbogie Shire](#)) and made available for public access on our website along with the official Minutes/Decisions of this meeting.

All care is taken to maintain your privacy; however, as a visitor in the public gallery, it is assumed that your consent is given in the event that your image is broadcast to the public.

It is also assumed that your consent is given to the use and disclosure of any information that you share at the meeting (including personal or sensitive information) to any person who accesses those recordings or Minutes/Decisions.

### 4. Governance Principles

Council considers that the recommendations contained in this Agenda gives effect to the overarching governance principles stated in Section 9(2) of the *Local Government Act 2020*. These principles are as follows:

1. Council decisions are to be made and actions taken in accordance with the relevant law
2. priority is to be given to achieving the best outcomes for the municipal community, including future generations
3. the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted
4. the municipal community is to be engaged in strategic planning and strategic decision making
5. innovation and continuous improvement is to be pursued
6. collaboration with other Councils and Governments and statutory bodies is to be sought
7. the ongoing financial viability of the Council is to be ensured
8. regional, state and national plans and policies are to be taken into account in strategic planning and decision making
9. the transparency of Council decisions, actions and information is to be ensured.

### 5. Apologies/Leave of Absence

Rosemary Scott – Executive Manager Communications, Engagement and Advocacy

## **6. Disclosure of Conflicts of Interest**

Nil

## **7. Confirmation of Minutes/Decisions of Previous Meetings**

**The Administrator adopted the Motion**

**That the Minutes/Decisions of the Council Meeting held on Tuesday 16 July 2024, including Confidential Business, be confirmed** (Council Meetings and Minutes | Strathbogie Shire)

144-23/24      CARRIED

## **8. Petitions**

Nil

## **9. Administrator's Report**

A short report tonight as we have a very big agenda to get through.

I had the great privilege of attending a funding announcement with the Hon. Jaclyn Symes MP, in her capacity as Member for Northern Victoria in July. CEO Tim Tamlin and other Officers were also in attendance at the announcement.

The funding application was to get a purpose built change room facility at the Longwood Recreation Reserve following a successful application by Strathbogie Shire Council for grant funding through Sport and Recreation Victoria.

The \$686,825 project is funded thanks to \$549,460 from Sport and Recreation Victoria's Regional Community Sports Infrastructure Fund, \$50,075 from Longwood Football Netball Club and \$87,290 from Strathbogie Shire Council including in-kind contributions.

The Longwood Football and Netball Club, with the support from the Longwood Community Centre Incorporated, have worked tirelessly to help Council secure funding for this important community facility. I thank them for their commitment and shared vision, and also for Minister Symes to attend and make the announcement.

### **Other Funding Announcements**

We've also had funding announcements for the Safer Together Project and, in partnership with Goulburn Valley Library Corporation funding to extend opening hours for Avenel and Violet Town libraries.

Council will receive \$300,000 across two years for the LEAPing into Safer Communities Project, in partnership with Greater Shepparton City Council which will support the development of Local Emergency Action Plans (LEAPs) across two locations in both Strathbogie Shire and Greater Shepparton Council areas.

This will build on similar projects recently completed in Avenel, Euroa and Violet Town and which are underway in Nagambie and Strathbogie.

The LEAPs help community members identify key actions they can take at a local level to be more prepared for the impacts of emergencies, extreme weather events and other disasters.

Additionally, Council is currently seeking expressions of interest for people to join the steering committee for Kirwans Bridge Local Emergency Action Plan. Expressions of Interest close on Friday 30 August at 5pm. More information can be found on Council's website.

The Victorian Government has announced \$48,051 through the Living Libraries Infrastructure Program for the Open Libraries Project, and this project will give library members access to Violet Town and Avenel libraries from 8am to 8pm daily.

Details on how to access the Libraries will soon be available through the Goulburn Valley Regional Library Corporation.

I thank the Victorian Government for their commitment to these initiatives.

### **Winter Wonderland**

I didn't manage to get the skates on, but by all accounts Winter Wonderland in Nagambie and Avenel has been a resounding success with close to 2000 people attending.

This is another example of government funding and partnerships in action, thanks to funding through the Community Recovery Hub which is jointly funded by the Australian and Victorian governments through the Disaster Recovery Funding Arrangements.

Euroa's Winter Wonderland is coming up the last weekend in August and I encourage everyone to get out and have a go.

Your CommUNITY, Your Voice campaign has continued to encourage people to consider standing for Council at the October election and to ensure they have every opportunity to understand the role, what is required and how to be effective.

Since the last meeting, Council has hosted the Victorian Local Governance Association (VLGA) Becoming a Councillor and VLGA Life as a Woman Councillor sessions.

The Interim CEO and I have also met with a number of potential candidates through our one on one sessions.

For anyone considering standing, I encourage you to reach out if you haven't already or to visit The Victorian Electoral Commission website which has a range of information and key dates and requirements for potential candidates.

### **Last Meeting Before Election Period**

This is the last Council meeting before the election period begins on 17 September, when Council will officially enter a caretaker period for six weeks leading up to the election on 26 October 2024.

I would like to take this opportunity to thank the many community members who have reached out to me since I was appointed Administrator late last year.

It has not been an easy road, with plenty of challenges to work through. The warm welcome I have received has helped me to understand community needs and helped me to make strategic decisions that represent the best interests of the shire going forward.

Thank you to everyone who has reached out during my time with Strathbogie. Thank you to the organisation for supporting me with a commitment to open and transparent communication and access to information to help me make informed decisions.

I encourage community members to use their vote wisely. Your vote will shape the future of this municipality and send a clear message about what you expect of your elected representatives.

## **10. Public Question Time**

### **Council Reference: RW 28/2024**

At the upcoming August council meeting, I will request that the administrator provide a comprehensive breakdown of the total cost of the construction work for the new truck wash at Euroa Saleyards.

This should cover all planning costs, including GVW fees, power supply, upgrades, realignment works, the cost of pre-purchased machinery and pumps, and all other items used in the construction process for the truck wash. Additionally, please include all road alterations, traffic management, and unique design work required in developing the truck wash site, as well as all related machinery hire fees and charges. I expect you to disclose the contract price, and all other items related to the site works their finalisation and completion costs, and, if not available, an estimation of any and all other items associated with this truck wash contract and development.

Lastly, I am demanding a complete financial breakdown for the entire work program and, to the fullest extent possible, a full disclosure of the project's total cost.

### **Response**

*Thank you for your questions Robin.*

*The breakdown of the project cost, including the Contractors payment schedule, is commercial in confidence information and will not be disclosed.*

*The Contractors lump sum price is public knowledge as it was disclosed in the May 2024 Council meeting, agenda item 11.3.6 and subsequent resolution, with the total lump sum price \$642,095.85 which includes GST.*

*In regard to the previous expenditure related to the project I can advise that a total of \$91,000, excluding GST, has been spent on the project in previous years purchasing pumps, performing detailed designs and preparing the site for construction of the truck wash.*

### **Council Reference: RW 29/2024**

Please supply copy of each year's financial reports. Specifically the balance sheet, period each year 2016, to 2024. Attempting to understand the accumulated surpluses, commitments, and then unspent funds.

Unfortunately over this time changes have occurred, system change, and reporting standard changes. Different accounting standards.

Boils down to only,  
1 Financial balance sheet.

- 2 Declared surplus/deficit.
- 3 Explanation of Surplus.
- 4 Changes to Equity.
- 5 Accumulated surplus changes each year.

## Response

*And thank you again, Robin.*

*Financial statements from 2014-15 to 2022-23 are available on our website for public access and detailed tables in financial reports provide answers to question one to five above.*

<https://www.strathbogie.vic.gov.au/council/plans-policies-strategies-and-reports/>

## Council Reference: LJL 30/2024

For permit application P2023– 128 a buffer of 40m has been proposed to the North and East. Whilst there is existing vegetation to the West it would appear that the proposal includes no formal buffer requirement to the West.

Why is there no buffer to the West that is required to be met, which is the closest boundary to our property, in the event the existing vegetation is reduced or removed over time?"

## Response

*Thank you for your question, and in response to your question:*

*The closest proposed building will be located approximately 150m from the western boundary. Officers have deemed that this is an acceptable buffer from surrounding land uses to the west.*

*A landscape plan is also required as part of the conditions forming part of the recommendation should the recommendation be supported by Council. This condition will ensure that adequate landscaping is planted and retained along all property boundaries.*

## Council Reference: DM 31/2024

Our next submitter has two questions. The questions are:-

First question:

Application P2023-128 identifies the Referral Authority, GBCMA which stated in its review of 2.8.24 that "GBCMA does not currently possess new information about flood levels in the vicinity of the development"

Therefore, why would a permit be issued without the post October 2022 flood data?

I will also read the second question as it is similar in nature before providing a response.

Second question:

Application P2023-128 should be compliant with the Strathbogie Planning Scheme Clause 44.03 Floodway Overlay. Page 43 of the Agenda with item 11.1.3 states an update is required as stipulated by the Planning Minister.

There has been no update, therefore shouldn't the Application be deferred?

### **Response**

*Thank you, David, for your questions. Given the questions are similar in nature, I will provide one response to both. The response is:*

*Officers are required to make a recommendation based on the best current data available to them and the relevant experts (in this case the Goulburn Broken Catchment Management Authority (GBCMA)).*

*The application was referred to the GBCMA who have provided conditional consent to the application and officers have taken this into account as part of their assessment.*

### **Council Reference: DM 33/2024**

Our next submitter has submitted two questions for this evening:

Planning Permit Application P2023-128 is a modified application for a Caravan and Camping Park previously identified as P2020-124. This previous application was rejected unanimously by the elected Council of the time and rejected by VCAT.

Is it appropriate that Council and the community should bear the cost of a potential re-visit to VCAT?

### **Response**

*Thank you for your question, Des.*

*The Planning and Environment Act 1987 requires Officers to undertake an assessment on all planning permit applications submitted.*

*As part of this assessment a decision on the application needs to be made. Both applicants and objectors have to ability to challenge any decision made by Council or Council Officers at the Victorian Civil and Administrative Tribunal (VCAT). This part of the process is outside the control of the Council.*

Des has also submitted the following question:

With regard to the new Independent Community Representative for the Audit and Risk Committee, what connection or direct involvement does Mr Tanner have now, or previously, specifically with the Strathbogie Shire. I note the conflict of interest statement in the pack but for good order also, does Mr Tanner have any prior connection or relationship with any member of the evaluation panel or the current CEO?

### **Response**

*Thank you, Des for your question. Mr Tanner resides in the region, and there are no prior connections or relationships with any member of the evaluation panel or the current CEO.*

*I have met Mr Tanner a handful of times as he was previously an Administrator at Moira Shire Council. There was an overlap period when we were both Administrators and we met at a couple of Local Government events, one or two of those being a Library Board meeting.*



*Apart from that, I didn't know John prior to coming here. I don't socialise with John and we are not friends and I am unaware of any other connections with the CEO or anyone else involved in the recruitment process.*

**Council Reference: DL 34/2024**

Two questions have been submitted:

Planning Permit Application P2023-128 relies on the subdivision of one site into two lots which will both be less than 40 hectares each and the Applications also relies on conversion of agricultural land into primarily an accommodation facility.

Given that the Strathbogie Planning Scheme protects the Farming Zone (and its purpose) and the land in question has been previously identified in a submission to VCAT by the Shire as having “strategic importance”, why is it appropriate for the Application to be accepted when it is contrary to the Farming Zone importance and also contrary to prior statements made by the Shire in writing to VCAT?

**Response**

*Thank you for your question, Darren.*

*Both the proposed subdivision and proposed land uses are permissible in the Farming Zone. A detailed assessment of the requirements of the Farming Zone and the officers reasons for deeming the subdivision and proposed land uses acceptable is provided in Attachment 1 (Planning Officer Report) to item 11.1.1 of tonight's agenda.*

The second question is:

Planning Permit Application P2023-128 in the context of the Strathbogie Planning Scheme would be considered an out-of-centre development due to its location away from the Nagambie township.

Given that such an Application should be sited elsewhere then why is it appropriate for the Application to be accepted?

**Response**

*Thank you again, Darren for your question.*

*A detailed assessment of the application, including its proposed location, has been provided in Attachment 1 (Planning Officer Report) to item 11.1.1 of tonight's agenda. The officer report details the reason as to why officers believe the subject site is a suitable location for the proposed land use and development.*

*The matter is now before Council for consideration this evening.*

**Council Reference: JA 35/2024**

In the Agenda for the Council meeting and the consideration of Planning Permit Application P2023 – 128 there are 88 permit conditions identified.

Given the limited human and financial resources of the Strathbogie Shire Council, is it likely that the Shire will not be able allocate the human resources necessary to ensure compliance with all the permit conditions?

## Response

Thank you for your question, Jacquie.

*Council officers have an obligation under the Planning and Environment Act 1987 to ensure compliance with planning permit conditions. Should a planning permit be granted and the proposal proceed, officer's intend to work closely with the applicant and other relevant parties such as Goulburn-Murray Water and the Goulburn Broken Catchment Management Authority to ensure compliance with the conditions of the planning permit. I'm sure there are people in the community who will read this application and let us know if we are not complying correctly.*

The second question is:-

The Planning Permit Application P2023-128 is by its nature very critical to the Community.

In that case, should the decision about the Permit be deferred until such time that there are elected Councillors that have the role of representing the community?

## Response

*Council has an obligation to accept, assess and make decisions on planning permit applications under the Planning and Environment Act 1987. There is no ability to defer this decision-making responsibility as the application is ready for a decision by Council.*

*If the decision was deferred then it would be an automatic trigger to the developers to go to VCAT.*

## Council Reference: MA 36/2024

Two questions have been submitted: The first question is:

P2023-128, 82 Kirwans Bridge, Kirwans Bridge.  
Nature Advisory report dated July 2024, Item 6.3.5 Listed fauna species – Brolga

Nature positive measure. Build a shallow (30-50cm) but large dam in an area not to be developed.

Please advise where this large dam is to be sited in the proposal?

## Response

*Should a planning permit be issued then this requirement will need to be met. Condition ten in the recommendation will ensure this requirement is met.*

The second question is:-

P2023-128 is planned to have a 50 metre buffer to the Eastern Backwater. Box Grove development DP03 has been approved with a 60 metre buffer to the Eastern Backwater, the same water body.

Why is the buffer not the same as the Box Grove Development?

## Response

Again, thank you for the question.

*The requirement for a 60m buffer for Box Grove is a specific requirement for that site that was included as part of a planning permit amendment which saw the re-zoning of the land to Low Density Residential. Officers are satisfied that a 50m buffer is acceptable in the instance of the camping and caravan park site based on a detailed assessment of the application, including taking into consideration the previous VCAT decision for the land and the requirements of Goulburn-Murray Water.*

**Council Reference: BA 37/2024**

Two questions have been submitted and I will respond to both questions as they are similar in nature. The first question is:

Planning Application P2023-128, 82 Kirwans Bridge Road, Kirwans Bridge 3608

The Biosis report dated July 29, 2024, identified calls for the assessment and impacts to native vegetation and fauna habit.

Will this assessment be completed prior to the issue of the permit?

The second question is:-

Planning Application P2023-128, 82 Kirwans Bridge Road, Kirwans Bridge 3608

The Biosis report dated July 29, 2024, identified calls for a survey of threatened flora and fauna species.

Will this survey be completed prior to the issue of the permit?

**Response**

*Thank you for your questions, Bob.*

*The Biosis report recommended the following be undertaken and included as planning permit conditions:*

- *A hydrological assessment to confirm no indirect impacts on flora and fauna habitat.*
- *Targeted surveys for the Sloane's Froglet and also for some species of vegetation.*

*Officers understand that the planning permit applicant is in the process of engaging someone to have these studies undertaken. The requirements to have these studies undertaken has been included as planning permit conditions in the recommendation.*

**Council Reference: DM 32/2024**

The next questions are in relation to the Rural Residential Land Use Strategy and Urban Growth Strategy. The first question is:

Clause 11.1.3 of the RRLUS and UGS provides sustainability considerations, will consideration be given to enhancing and expanding the natural environment?

**Response**

*Thank you for your question. The short answer is Yes.*

*Council is required to give consideration to the environment during the development of the two strategies. For the strategies to consider land for residential or rural residential (or any – commercial/industrial) growth, the State Government requires significant consideration of any impacts on the natural environment from Council.*

*Bushfire and flooding are the most predominant issues for consideration to be given to in all planning schemes across the state. The flow on effect is placing more emphasis on the consideration of growth in the direction of areas with an elevated risk of flood or fire (for example bushland, waterways) before doing so.*

*Council will undertake the development of these strategies with involvement from Taungurung Land and Water Council, Department Environment Energy and Climate Action, CFA, GBCMA, EPA, Goulburn Murray Water to name a few of relevant authorities that have a direct interest with the environment in the planning space.*

*This provides a chance for the aforementioned authorities to prise out any show stopping issues before too much time and effort are invested.*

The second question is:

Clause 11.1.3 of the RRLUS and UGS provides Sustainability Considerations but leads to the following questions:

Will a detailed housing supply/demand analysis be undertaken to yield a foundation for the strategies?

### **Response**

*Thank you for your question. Yes, a supply and demand assessment (also referred to as a background report) has been completed for the two strategies. The supply and demand assessments have provided a foundation for the preparation of the Issues and Opportunities Reports and for the final strategies. The information gathered from the analysis will form the basis and justification to state government for future strategic work that Council will undertake.*

*The supply and demand reports provide a clear background to the historical growth of the municipality and provide for future population modelling into the next few decades. These considerations will be utilised in the formation of the UGS and RRLUS final strategies, but also the more specific recommendations of the township strategies for Avenel, Euroa, Nagambie and Violet Town such as rezonings.*

### **Council Reference: EM 39/2024**

Two questions have been submitted:

In the past, when the number of candidates does not exceed the number of vacancies in Local Government elections, the Returning Officer simply declared the nominees elected, and there is no ballot or poll. Under the relevant provisions of the Local Government Act, is this still the case today?

### **Response**

*Thank you Ellenor for your question.*

*If after nominations close the number of candidates is the same as the number of vacancies, those candidates are elected without the need for a vote. This is called being elected 'unopposed'.*

*If nobody nominates as a candidate, no voting takes place and another election is held as soon as possible.*

*For local council elections, if there are fewer candidates than vacancies, the candidates who nominated are declared elected. A by-election is held for the remaining vacancies.*

The second question is:

In the case of Councillors dismissed by the Minister for Local Government after sustained periods of inappropriate behaviour, are these people permitted to re-nominate for the same Council in the upcoming elections, or are they disqualified for a period?

### **Response**

*Yes, they are able to renominate and the Victorian Electoral Commission manage the nomination process and will determine eligibility for all perspective candidates.*

## **11. Officer Reports**

- 11.1 Strategic and Statutory
- 11.2 Community
- 11.3 Infrastructure
- 11.4 Corporate
- 11.5 Governance and Customer Service
- 11.6 Executive

## **12. Notices of Motion**

## **13. Notices of Rescission**

## **14. Urgent Business**

## **15. Confidential Business**

**Tim Tamlin**  
**Interim Chief Executive Officer**  
**16 August 2024**

## **Next Meeting**

The next monthly meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday 17 September 2024, at the Euroa Community Conference Centre, at 6.00 pm.



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## **11. OFFICER REPORTS**

### **11.1 STRATEGIC AND STATUTORY PLANNING**

#### **11.1.1 Planning Permit Application P2023-128**

**Use and development of the land for a Camping and Caravan Park, Restaurant and Place of Assembly (Function Centre), Two Lot Subdivision, Creation of an Easement, and Removal of Native Vegetation at 82 Kirwans Bridge Road and Lot 2, TP878622C Nagambie**

Author: Manager Planning and Investment

Responsible Director: Director Community and Planning

#### **EXECUTIVE SUMMARY**

Planning Permit Application P2023-128 is being presented to Council as it has received 37 objections.

In accordance with Council's Planning Permit Applications Referral to Council Policy an application that has received five or more objections must be referred to Council for a decision. The objectors have raised several concerns and relevant planning considerations which are detailed in this report and the attached planning report.

The application proposes the use and development of land for a camping and caravan parking including standard amenities (camp kitchens and a pool facility) and 80

eighty prefabricated glamping style tent units. The land contains an existing building that has been used as a restaurant/function centre. Approval is sought to continue this use as part of the planning permit application. A site layout of the proposed use and development is shown below. A detailed site plan has been included as Attachment 2 to this report.

Clarification was sought from the Administrator around the following matters:

The Hydrology assessment – was consideration given to any potential impact on the back water and flora and fauna. It was reported that the assessment was peer reviewed by an expert and they suggested some additional work needed to be done. The additional work was completed and they were satisfied subject to a number of things being completed including:

- An updated report
- Conditions that could go on to any planning permit subject to an approval requiring targeted surveys for vegetation and flora and fauna to determine whether they present the main reason and require separate approvals under other legislation
- Hydrological assessment to ensure there were no direct impacts on flora and fauna on the backwater

The applicant's consultant addressed the meeting.  
Five objectors addressed the meeting.

**The Administrator adopted the Motion**

That Council having caused notice of Planning Application No. P2023-128 to be given under Section 52 of the *Planning and Environment Act 1987* and or the planning scheme and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to issue a Notice of Decision to Grant a Permit under the relevant provisions of the Strathbogie Planning Scheme in respect of the land known as L1 TP578242 V9667 F723, 82 Kirwans Bridge Road and Lot 2, TP878622C V2274 F974, Nagambie VIC 3608, for the Use and development of the land for a Camping and Caravan Park, Restaurant and Place of Assembly, Two Lot Subdivision, Creation of an Easement and removal of Native Vegetation, in accordance with endorsed plans, subject to the following conditions:

## **CONDITIONS**

### **General**

#### **Amended Plans**

1. Before the use or development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plans (prepared by Tomkinson, Nagambie Waters Kirwans Bridge Road, Nagambie, drawing number 501347SPO1 dated July 2024), but modified to show:
  - (a) Updated site plan showing buffers (building exclusion zones) along the northern boundary (20m), eastern boundary (40m) and southern boundary (50m).
  - (b) Provision of 10 bicycle parking spaces.
  - (c) A shared path connection for pedestrian and cyclists from the development to the existing footpath network in Nagambie. Should the shared path connection traverse private land, a Section 173 Agreement must accompany the plans that secures, permission to use the land for this purpose and the required ongoing maintenance of the shared path to the satisfaction of the Responsible Authority.
  - (d) The location, height, size and floor areas of all buildings located on site
  - (e) Elevation for all buildings, including colours and materials using muted tones for external materials.
  - (f) A guest management plan for each of the uses approved under this planning permit, including:
    - Measures to manage noise, litter and guest access to the eastern backwater (waterway).
    - Operating hours for the restaurant and function centre.
    - An approved liquor licence for the function centre and restaurant (including patron numbers).

#### **Layout Not Altered**

2. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

#### **Buildings and Works to be Completed Prior to Use**

3. Prior to the commencement of use for each stage, all buildings and works shown on the endorsed plans must be completed to the satisfaction of the

**Responsible Authority. Endorsed management plans must be implemented to the satisfaction of the Responsible Authority.**

**Staged Development**

4. The development must proceed in the order of stages as shown on the endorsed plans unless otherwise agreed to in writing by the responsible authority.

**Design and Amenity**

5. The external cladding of all proposed buildings, including the roof's, must be constructed of new materials of muted colours to enhance the aesthetic amenity of the area. Material having a highly reflective surface must not be used.
6. External lighting must be designed, baffled and located to the satisfaction of the Responsible Authority such that no direct light is emitted outside the boundaries of the subject land.
7. The site shall always be kept in a neat and tidy condition to the satisfaction of the Responsible Authority. Any litter shall be immediately removed from the site and surrounding area at the direction of the Responsible Authority.
8. The caravan and camping park must not be used to accommodate any person for a period of more than three (3) months in any calendar year, with the exception of within the on-site manager's residence.
9. The amenity of the area must not be detrimentally affected by the use, through the:
  - a) Appearance of any building, works or material
  - b) Transport of materials, goods or commodities to or from the land
  - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil.
  - d) Presence of vermin.

**Flora and Fauna Assessment**

10. The flora and fauna assessment approved under this permit must be complied with and implemented, including the identified mitigation measures, to the satisfaction of the Responsible Authority.
11. Prior to the commencement of any works the targeted surveys and hydrological assessments recommended as part of the flora and fauna assessment must be completed to the satisfaction of the Responsible Authority. Any mitigation measures identified as part of these documents must be implemented to the satisfaction of the Responsible Authority.

**Integrated Land and Waterway Management Plan**

12. Before the use and development starts, an integrated land and waterway management plan for the management and operation of the land must be submitted and approved by the Responsible Authority. The plan must:
  - a) be prepared to the satisfaction of the responsible authority
  - b) be prepared by a suitably qualified person

- c) be submitted in electronic form**
- d) include the following details:**
  - i. Overall environmental objectives for management of the land and techniques to achieve these objectives.**
  - ii. Techniques to protect and enhance the biodiversity of the land, including the retention of vegetation and faunal habitat and the need to revegetate including riparian buffers along waterways and property boundaries.**
  - iii. An implementation and staging plan.**
  - iv. Methods for the control and eradication of weeds.**
  - v. Methods for the control of pest animals.**
  - vi. The use of fencing which is permeable for native fauna.**
  - vii. Re-vegetation of the site using native and indigenous species.**
  - viii. Improving the condition of waterway frontages with vegetation.**
  - ix. Preventing stock access to waterways**
  - x. Practices and procedures to ensure that no significant adverse environmental impacts occur because of the use**
  - xi. Detail of how moorings will be prohibited at all jetties and along the foreshore of the site.**
  - xii. Detail of how the site will be managed to prevent the launching of powered vessels from the site into the eastern backwater.**
  - xiii. Implementation of all recommendations from the approve Flora and Fauna report.**

#### **Environmental Construction Management Plan**

**13. Before the use and development starts, a construction environmental management plan must be submitted and approved by the Responsible Authority. The plan must:**

- a) manage impacts and assign accountabilities for impacts on biodiversity, including but not limited to:**
  - i. Preparation and implementation of management strategies or plans for mitigation and offsetting of impacts on native vegetation.**
  - ii. Preparation and implementation of management strategies or plans for flora and fauna species listed under the *Flora and Fauna Guarantee Act*.**
  - iii. Monitoring, reporting and auditing of relevant activities and environmental outcomes, including the role of an independent auditor to be appointed by the applicant.**
  - iv. Mechanisms for ensuring compliance for all construction activities.**

#### **Landscaping**

**14. Prior to the commencement of works, an updated landscape masterplan must be submitted and approved by the Responsible Authority. The updated plan must:**

- a) Be consistent with the landscape buffer areas shown on the endorsed site plan**
- b) Be consistent with the endorsed integrated land and waterway management plan.**
- c) Be consistent with the approved Bushfire Management Plan.**

**15. Prior to the commencement of use all landscaping works shown on the endorsed plan must be carried out and completed to the satisfaction of the responsible authority.**

#### **NATIVE VEGETATION REMOVAL**

##### **Notification Of Permit Conditions**

**16. Before works start, the permit holder must advise all persons undertaking the vegetation removal of works on site of all relevant permit conditions and associated statutory requirements or approvals.**

##### **Protection Of Patches Of Native Vegetation And Scattered Trees**

**17. Before works start a native vegetation protection fence must be erected around all patches of native vegetation and scattered trees to be retained on site. This fence must be erected around the patch of native vegetation at a minimum distance of five metres from retained native vegetation and/or at a radius of 12 x the diameter at a height of 1.3 metres to a maximum of 15 metres but no less than two metres from the base of the trunk of the tree. The fence must be constructed of star pickets and flagging tape or webbing to the satisfaction of DEECA Hume region. The fence must remain in place until all works are completed to the satisfaction of DEECA Hume region.**

**Alternatively, if the layout of the site does not allow space and clearance for fencing off retained vegetation then before works begin all trees to be removed must be clearly marked so there can be no confusion about which vegetation is to be retained and what is being removed. All staff and contractors undertaking works must be clearly briefed on what the tree markings mean to ensure only permitted vegetation is removed or otherwise impacted.**

**Except with the written consent of the DEECA Hume region within the area of native vegetation to be retained and tree protection zone associated with the permitted use and/or development, the following is prohibited:**

- a) Vehicular or pedestrian access**
- b) Trenching or soil excavation**
- c) Storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products**
- d) Entry and exit pits for underground services**
- e) Any other actions or activities that may result in adverse impacts to retained native vegetation**

##### **Offset Requirement**

- 18. To offset the removal of 0.105 hectares of native vegetation the permit holder must secure a native vegetation offset in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017) as specified below :**

**General Offset**

**A general offset of 0.058 General Habitat Units:**

- **Located within the Goulburn Broken Catchment Management Authority boundary or Strathbogie Shire municipal district.**
  - **With a minimum strategic biodiversity score of at least 0.710.**
- 19. Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of Strathbogie Shire. This evidence is one or both of the following:**
- a) An established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10 year management actions and ongoing management of the site and/or**
  - b) Credit extract(s) allocated to the permit from the Native Vegetation Credit Register. A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence by the responsible authority a copy of the endorsed offset evidence must be provided to the Department of Energy, Environment and Climate Action via [pa.assessment@delwp.vic.gov.au](mailto:pa.assessment@delwp.vic.gov.au)**

**ENGINEERING**

**Roads, Pathways and Common Access**

- 20. Prior to the commencement of works, construction plans for all proposed roadways and pathways must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and will form a part of the permit. The plans must be drawn to scale with dimensions and an electronic copy in both .dwg and .pdf formats must be provided.**
- 21. The final design parameters for the roadways and pathways must be based on the relevant Australian and VicRoads standards and in accordance with the requirements of Council's Infrastructure Design Manual (IDM) as modified from time to time, all to the satisfaction of the Responsible Authority. All works shall conform to plans and specifications prepared by a qualified engineer at Owner's expense and approved by the Responsible Authority.**

**Use**

- 22. Prior to the commencement of use, internal roads shall be formed, drained and surfaced in accordance with detailed plans and specifications prepared by the Applicant/ Owner and approved by the Responsible Authority.**
- 23. For Common Access, the drainage system must be constructed before commencement of the use and development as per the approved plans**

**Urban Vehicle Crossing Requirements**

- 24. Prior to the commencement of use, the proposed development must have a vehicular crossing constructed according to the council's Infrastructure Design Manual standard drawing SD250 and must:**



- a) Be constructed at a right angle to the road or as otherwise approved, any redundant crossing shall be removed and reinstated to the satisfaction of the Responsible Authority.
- b) Have adequate pipe capacity to cater for any upstream flow, if required.
- c) Be setback a minimum of 1.5 meters from any side-entry pit, power or telecommunication pole, manhole cover, or marker, or 3 meters from any street tree.
- d) Include a sealed bell mouth to the access to prevent overspill of loose stones.
- e) Obtain a works within Road Reserves permit from the Responsible Authority prior to carrying out any vehicle crossing works.

25. The vehicle crossing to the land is to be located, constructed and maintained to the satisfaction of the Responsible Authority.

26. The vehicle crossing to the land shall be located so that adequate sight distance is achieved to comply with Australian Standards AS2890.1 Section 3.2.4 and as specified in Austroads' Guide to Road Design Part 4A Section 3.4 – 'Sight Distance at Property Entrance'.

#### **Subdivision**

27. Prior to the issue of Statement of Compliance for the subdivision, a maintenance bond to the value of 5% of the actual cost of road and drainage works must be paid to the Responsible Authority.

28. Prior to the issue of a Statement of Compliance payment must be made to the Responsible Authority of a supervision fee up to 2.5% of the actual cost of roads and drainage works, the amount to be determined by the Responsible Authority (the permit holder must submit a copy of the road and drainage Construction Contract Schedule, for verification of the amount by Council.

29. Prior to the issue of a Statement of Compliance payment must be made to the Responsible Authority of an engineering design checking fee of up to 0.75% of the value of documented works, the amount to be determined by the Responsible Authority.

30. Prior to the issue of a Statement of Compliance, lighting must be provided to all areas of the park which are in use including pathways, roadways, common areas and recreation, and that intersections and pedestrian crossings are provided with lighting as per AS/NZS 2890.1 and AS/NZS 1158.3.1. Areas which are not in use (for example: sections closed in low season) do not have to be illuminated until they are in use.

31. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.

32. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for Certification in favour of the relevant authority for which the easement or site is to be created.



**33. The plan of subdivision submitted for Statement of Compliance under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with Section 8 of that Act.**

#### **Urban Drainage – Works**

**34. All stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge drains to the satisfaction of the Responsible Authority/ Goulburn Murray Water. No effluent or polluted water of any type may be allowed to enter the stormwater drainage system or waterway.**

**35. No concentrated stormwater shall drain or discharge from the land to adjoining properties.**

#### **DRAINAGE DISCHARGE PLAN**

##### **Works**

**36. Prior to the commencement of works, a properly prepared drainage discharge plan with computations to the satisfaction of the responsible authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The information submitted must show the details listed in Council's Infrastructure Design Manual (IDM) and be designed in accordance with the requirements of that manual.**

**The information and plans must include:**

- a) Details of how the works on the land are to be drained and/or retarded.**
- b) Provision for any exiting overland flow paths and measures for ensuring these flows will be directed away from the proposed development.**
- c) A maximum discharge rate from the site to be determined by computations in accordance with the IDM to the satisfaction of the Responsible Authority.**
- d) Computations including total energy line and hydraulic grade line for the existing Underground pipe drains conveying stormwater to the legal point of discharge.**
- e) Measures to enhance stormwater discharge quality from the site and protect downstream waterways Including the expected discharge quality emanating from the development (output from MUSIC or similar) and design calculation summaries of the treatment elements.**
- f) Documentation demonstrating approval from the relevant authority for the legal point of discharge.**
- g) The details of the incorporation of water sensitive urban design in accordance with clause 20.3.1 of the Infrastructure Design Manual.**
- h) Maintenance schedules for treatment elements.**
- i) discharge from the development must be directed into the council's existing drainage infrastructure.**
- j) The proposed finish surface level of the lot and the finished slope of the lot.**

- k) All roof water from buildings and surface water from hard paved areas must be collected and conveyed to a drainage easement or to the legal point of discharge to prevent stormwater nuisance to adjoining land.**
- l) Indication of extent and depth of cut and/or fill to be carried out to the natural profile of the land.**
- m) The potential flood risk to life, health and safety associated with the development. Flood risk factor to consider include but not limited to the frequency, duration, extent, depth and velocity of flooding of the site and accessway.**
- n) The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.**
- o) The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.**

#### **USE**

**37. Prior to the commencement of use all works shown on the approved drainage discharge plan must be completed to the satisfaction of the Responsible Authority.**

#### **General Construction Management Requirements**

**38. Prior to the commencement of works, including demolition and excavation, a Construction Management Plan must be submitted to and endorsed by the Responsible Authority. No works are permitted to occur until the Plan has been endorsed by the Responsible Authority. Once endorsed, the construction management plan will form part of the permit and must be implemented to the satisfaction of the Responsible Authority. The plan must provide details of the following:**

- a) Hours for construction activity in accordance with any other condition of this Permit.**
- b) Measures to control noise, dust, water and sediment laden runoff.**
- c) Measures to inform adjacent residents of work schedules, etc.**
- d) Measures relating to removal of hazardous or dangerous material from the site, where applicable.**
- e) A plan showing the location of parking areas for construction and sub-contractors' vehicles on and surrounding the site, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding premises. Any basement car park on the land must be made available for use by sub-constructors / tradespersons upon completion of such areas, without delay.**
- f) A Traffic Management Plan showing truck routes to and from the site.**
- g) Swept path analysis demonstrating the ability for trucks to enter and exit the site in a safe manner for the largest anticipated truck associated with the construction.**
- h) A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site.**

- i) Measures to ensure that sub-contractors / tradespersons operating on the site are aware of the contents of the Construction Management Plan.**
- j) Contact details of key construction site staff.**
- k) A site plan showing the location of any site sheds, on-site amenities, building waste storage and the like, noting that Council does not support site sheds on Council road reserves; and**
- l) Any other relevant matters.**

**39. Prior to the commencement of works, a Site Environment Management Plan (SEMP), must be submitted to and approved by the responsible authority and, where relevant, other authorities. When approved, the plan will be endorsed and form part of this planning permit. The SEMP must include (but not necessarily limited to) details regarding the following:**

- a) Identification of all stockpiles, storage, parking and machinery storage locations and management requirements during the construction of the development.**
- b) Appropriate sediment control, erosion, and drainage management to be implemented on site, to ensure no sediment or sediment laden runoff enters waterways, wetlands or moves off site during the construction of the development.**
- c) Weed control and management on site, including appropriate vehicle hygiene measures, during the construction of the development.**
- d) Appropriate monitoring/compliance and reporting requirements for the approved use and development, and the components of and actions set out in the SEMP.**
- e) The person/s responsible for implementation and compliance of each aspect of the SEMP.**
- f) All persons undertaking works on site must be fully briefed on all aspects and requirements of the endorsed SEMP.**

**40. The SEMP approved under this permit must be complied with and implemented at all times to the satisfaction of the Responsible Authority.**

**41. No excavated or construction materials may be placed or stored outside the site area or on the adjoining road reserves, except where the materials are required in connection with any road or footpath construction works in such reserves that are required as part of the permit.**

**42. Prior to the commencement of works, the owner or developer must submit to the Responsible Authority a written report and photos of any prior damage to public infrastructure. Listed in the report must be the condition of kerb & channel, footpath, seal, street lights, signs and other public infrastructure fronting the property and abutting at least two properties either side of the development. Unless identified with the written report, any damage to infrastructure post construction will be attributed to the development. The owner or developer of the subject land must pay for any damage caused to the Councils assets/Public infrastructure caused as a result of the development or use permitted by this permit.**

**43. Appropriate signage and line marking shall be provided to the satisfaction of the Responsible Authority.**

**44. Appropriate steps must be taken to retain all silt and sediment on site during the construction phase to the satisfaction of the Responsible Authority and must be carried out in accordance with the following EPA guidelines and policies:**

- Environmental Guidelines for Major Construction Sites (EPA publication No. 480, December 19985); and
- Construction Techniques for Sedimentation Pollution Control (EPA publication No. 275, May 1991)

**45. In the event of mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, appropriate measures must be implemented to minimise the problem to the satisfaction of the Responsible Authority.**

**46. The permit holder shall ensure that dust suppression is undertaken in the form of constant water spraying or other natural based proprietary dust suppressant to ensure that dust caused by vehicles moving along the access road and/or within the site does not cause a nuisance to surrounding properties to the satisfaction of the Responsible Authority. The development shall not have an adverse impact on existing or future air quality.**

**47. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the Responsible Authority.**

**48. The earthworks and lot filling must be as per the guidelines specified in Council's Infrastructure Design Manual, to the satisfaction of the Responsible Authority.**

**49. The approved SEMP must be implemented to the satisfaction of the Responsible Authority.**

#### **CAR PARKING**

##### **Works**

**50. Prior to the commencement of works, associated with the provision of car parking, detailed layout plans demonstrating compliance with Austroads publication 'Guide to Traffic Management Part 11 Parking Management Techniques', Australian Standards "AS2890: Parking Facilities" and to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale with dimensions.**

##### **Use**

**51. Prior to the commencement of use, the area(s) set aside for parking of vehicles and access lanes as shown on the endorsed plans must:**

- a) Be surfaced with an all-weather surface and treated to prevent dust,
- b) Be drained in accordance with an approved drainage plan,
- c) Provide for vehicles to pass on driveways,
- d) Be constructed and completed to the satisfaction of the Responsible Authority, and
- e) Provide an area that is adequate for loading/unloading of recurring deliveries.

#### **ENVIRONMENTAL HEALTH OFFICER**

**52.**The Restaurant is required to be registered with Council under the *Food Act 1984*.

**53.**The Caravan Park will require registration with Council under the Residential Tenancies Act 1997 and comply with the requirements of the subsequent Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020. The owner is required to liaise with Council's Environmental Health Officer prior to the commencement of works in relation to compliance with the Regulations Part 3, Division 1 – Fire and Emergency Management and Division 3 – Standards for movable dwellings and annexes.

It is noted that the proposed development cannot commence without the connection of reticulated sewerage and water.

#### **GOULBURN VALLEY REGION WATER CORPORATION**

**54.**Payment of new customer contribution charges for water supply to the development, such amount being determined by the Corporation at the time of payment.

**55.**Provision of a reticulated water supply and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation. (The works may include, but not be limited to the construction of a water boosting pumping station, supply mains and gravity mains and tanks). Substantial downstream augmentation works will be required at the developer's expense. This will be confirmed during liaison with the Developer's engineering consultant.

**56.**Provision of one water tapping for proposed Lot 1 at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation.

**57.**Provision of water supply meter/s to proposed Lot 1, located at the property boundary and to the satisfaction of Goulburn Valley Region Water Corporation.

**58.**If required, provision of reserves for water supply purposes over existing and/or proposed water supply Infrastructure located within private property. The reserve must be adequately sized to enable unrestricted access to the water supply infrastructure for operation and maintenance purposes. The reserve must not be encumbered by any easements. The reserve will be required to be fenced to the satisfaction of Goulburn Valley Water at the developer's expense.

**59.**Payment of new customer contributions charges for sewerage services to the development, such amount being determined by the Corporation at the time of payment.

**60.**Provision of reticulated sewerage and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation. The works may include, but not be limited to the construction of a sewerage pumping station, rising mains and gravity mains etc. Substantial downstream augmentation works will be required, at the developers' expense. This will be confirmed during liaison with the Developer's engineering Consultant.

- 61. Reserves for sewage pump stations to be in favour of Goulburn Valley Region Water Corporation. The reserve must be adequately sized to enable unrestricted access to the sewage pump station for operation and maintenance purposes. The reserve must not be encumbered by any easements.**
- 62. Connection of all sanitary fixtures within the development to reticulated sewerage, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation. All works required are to be carried out in accordance with AS 3500.2 - 'Sanitary plumbing and drainage', and to the satisfaction of the Corporation's Property Services department.**
- 63. Payment of any outstanding contributions towards existing sewerage scheme, such an amount being determined by the corporation at the time of payment.**
- 64. Provision of easements in favour of the Goulburn Valley Region Water Corporation over all existing and proposed sewer mains located within private property.**
- 65. Pursuant to Section 36 of the Subdivision Act, if the Corporation considers that, for the economical and efficient subdivision and servicing of the land covered by the Application for Permit, it requires the owner of the land to acquire an easement over other land in the vicinity. That is, any land not owned by the Developer through which a sewerage extension servicing the development is to be located, easements shall be created in favour of the Corporation.**
- 66. Discharge of trade waste from the development shall be subject to a Trade Waste Consent Agreement. Application to determine the specific requirements for your development may be required. Please contact the Business Customer Service Team on 5832 4800 or via email [mail@gvwater.vic.gov.au](mailto:mail@gvwater.vic.gov.au) to discuss your business' needs.**
- 67. The land to be included in an extension of the Sewer and Water Supply District and the owner agree to contribute to the actual cost to extend the District Boundary necessary to provide reticulated sewer and/or water to this development. Such amount being determined by the Authority at the time of payment.**
- 68. The operator under this permit shall be obliged to enter into an Agreement with Goulburn Valley Region Water Corporation relating to the design and construction of any sewerage or water works required. The form of such Agreement shall be to the satisfaction of Goulburn Valley Water. A copy of the format of the Agreement will be provided on request.**
- 69. The plan of subdivision lodged for Certification is to be referred to the Goulburn Valley Region Water Corporation pursuant to Section 8(1) of the Subdivision Act, 1988.**

#### **COUNTRY FIRE AUTHORITY**

- 70. Before the development starts site plans to the satisfaction of CFA and Responsible Authority showing compliance with the Firefighting Equipment (Objective 1), Access (Objective 2) of CFA's Caravan Park Fire Safety Guidelines 2024.**
- 71. Before the development starts an amended Bushfire Management Plan (BMP)**



generally in accordance with the BMP prepared by Tomkinson, Revision B dated 24th April 2024 but modified to show and reference vegetation management to the property boundary.

72. The site is managed in accordance with the Emergency Management Plan prepared by Tomkinson, Version 2 updated November 2023.

#### **GOULBURN BROKEN CATCHMENT MANAGEMENT**

73. The finished floor level of all proposed tents must be elevated at least 300 millimetres above the 100- AEP flood level of 126.45 metres AHD, i.e. 126.75 metres AHD, or higher level deemed necessary by the responsible authority.

74. A Works on Waterways Permit is obtained from the Goulburn Broken CMA prior to the removal of any vegetation within the bed, banks and surrounds of the waterway.

75. A Works on Waterways Permit is obtained from the Goulburn Broken CMA prior to construction of the stormwater discharge pipes.

76. A Works on Waterways Permit is obtained from the Goulburn Broken CMA prior to the construction of the proposed jetties.

77. The proposed jetties must be licenced by Goulburn-Murray Water.

#### **GOULBURN MURRAY WATER**

78. Any Plan of Subdivision lodged for Certification must be referred to Goulburn-Murray Rural Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act.

79. The Plan of Subdivision must show either building envelopes or building exclusion zones to prevent future buildings from being located within 50 metres of the Full Supply Level of Goulburn Weir (measured from the 124.24 m AHD level).

80. All construction and ongoing activities must be in accordance with sediment control principles outlined in EPA Publication 1834.1, Civil Construction, Building and Demolition Guide (September 2023)

81. No buildings or works may be erected or carried out within 50 metres of the Full Supply Level of Goulburn Weir (measured from the 124.24 m AHD level).

82. Each lot must be provided with connection to the reticulated sewerage system in accordance with the requirements of Goulburn Valley Water.

83. Wastewater collection pits and pump stations must be located a minimum setback of 100m from the full supply level of Goulburn Weir (measured from the 124.24 m AHD level) and must be sufficiently bunded to contain overflow (prior to emergency response) in the event of a pump or power failure.

84. All stormwater must be treated in accordance with Water Sensitive Urban Design principals via infrastructure which must be located on the subject land.

85. Prior to Certification of the Plan of Subdivision:

- a) the applicant must enter into a Foreshore Assets Agreement in accordance with Section 173 of the Planning and Environment Act 1987 with Goulburn-Murray Water, the Responsible Authority and the Goulburn Broken Catchment Management Authority.

- b) the applicant must enter into an Occupation Licence with Goulburn-Murray Water.
- c) A Foreshore Landscape Plan incorporating proposed vegetation, jetties, boat ramp, pathways and any other foreshore infrastructure must be prepared by the applicant in conjunction with Goulburn-Murray Water, the Responsible Authority and the Catchment Management Authority. The Foreshore Landscape Plan and a works schedule outlining timing of works must form part of the section 173 agreement in relation to foreshore assets.

**86. Prior to commencement of any works on Goulburn-Murray Water foreshore land:**

- a) The Foreshore Landscape Plan must be approved to the satisfaction of Goulburn-Murray Water, the Responsible Authority and the Catchment Management Authority.
- b) The applicant must obtain a 'Works Approval' from Goulburn Murray Water for any works on GMW land.
- c) The applicant must obtain a 'works on a waterway' permit from the Goulburn Broken Catchment Management Authority.

**EXPIRY**

**Subdivision**

**87. This permit as it relates to the development (subdivision) will expire if one of the following circumstances applies:**

- a) The plan of subdivision has not been certified under the *Subdivision Act 1988* within two years of the issued date of this permit.
- b) A statement of compliance is not issued within 5 years of the date of certification.
- c) In accordance with Section 69 of the *Planning and Environment Act 1987* an application may be submitted to the responsible authority for an extension of the periods referred to in part.

**Development**

**88. This permit as it relates to development (buildings and works) will expire if one of the following circumstances applies:**

- a) The development is not started within two years of the issued date of this Permit.
- b) The development is not completed within four years of the issued date of this Permit.
- c) In accordance with Section 69 of the *Planning and Environment Act 1987* an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.



### **11.1.2 Planning Permit Application: Native Vegetation Removal – NVR 2024-001 (associated with road sealing project by Council – Weir Road, Bailieston)**

Author: Planning Officer – Statutory

Responsible Director: Director Community Planning

#### **EXECUTIVE SUMMARY**

The application seeks approval for the removal of native vegetation along Weir Road in Bailieston. The vegetation removal is required to facilitate works that will improve the safety of Weir Road for road users. The road works are required as Weir Road is one of the primary access roads to the community of Kirwans Bridge since access across Kirwans Bridge was prohibited, subsequently increasing traffic on Weir Road. The upgrade works are to be undertaken on behalf of Council. The works to be undertaken include:

- Road widening
- Regrading
- Lengthening of existing culverts
- Safety barriers
- Application of road sealing.

Given there has been significant public interest in the road upgrade works, and that the application for native vegetation removal has been made by Council, the matter is being referred to Council in accordance with Council's S6 Instrument of Delegation-Members of Staff and Council's Planning Permit Applications Referral to Council Policy.

It is important to note that this Council report only considers the proposed native vegetation removal. No planning permit approval is required for the proposed road upgrade works and, therefore, they do not form part of the officer's assessment.

The vegetation that is proposed to be removed is located between the Weir Road intersection with Nagambie-Rushworth Road and the Weir Road intersection with Hudson Road, Richards Road and Reedy Lake Road.

It is proposed to remove 36 trees, nine of which have been determined to be large trees, included in an area of 0.15 hectares within the Weir Road reserve. The required documentation has been sent to the Department of Energy, Environment and Climate Action (DEECA) who have provided consent to the application, subject to permit conditions. It has been confirmed that a Cultural Heritage Management Plan is not required.

The application has been notified by way of letters to nearby property owners and occupiers, in the local paper, and on Council's website. One objection has been received.

Officers have undertaken an assessment of the application against the relevant provisions of the Strathbogie Planning Scheme and, in conjunction with the professional views of DEECA regarding the vegetation removal, it is recommended that a notice of decision to grant a permit should be issued.

### **The Administrator adopted the Motion**

#### **That Council:**

Having caused notice of the application under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987*, decides to issue a Notice of Decision to Grant a Permit under the provisions of the Strathbogie Planning Scheme for Native vegetation removal (associated with road sealing project by Council) in accordance with endorses plans and subject to conditions.

#### **CONDITIONS**

##### **Compliance With Documents Approved Under This Permit**

1. At all times, what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.

##### **Layout Not Altered**

2. The layout of the native vegetation to be removed, destroyed or lopped including dead native vegetation, must not be altered from the layout on the approved and endorsed plans without the written consent of the responsible authority.

#### **DEPARTMENT OF ENERGY, ENVIRONMENT AND CLIMATE ACTION**

##### **Notification of permit conditions**

3. Before works start, the permit holder must advise all persons undertaking the vegetation removal of works on site of all relevant permit conditions and associated statutory requirements or approvals.

##### **Protection Of Patches Of Native Vegetation And Scattered Trees**

4. Before works start a native vegetation protection fence must be erected around all patches of native vegetation and scattered trees to be retained on site. This fence must be erected around the patch of native vegetation at a minimum distance of 5 metres from retained native vegetation and/or at a radius of 12 x the diameter at a height of 1.3 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the tree. The fence must be constructed of star pickets and flagging tape or webbing to the satisfaction of DEECA Hume region. The fence must remain in place until all works are completed to the satisfaction of DEECA Hume region.

Alternatively, if the layout of the site does not allow space and clearance for fencing off retained vegetation then before works begin all trees to be removed must be clearly marked so there can be no confusion about which vegetation is to be retained and what is being removed. All staff and contractors undertaking works must be clearly briefed on what the tree markings mean to ensure only permitted vegetation is removed or otherwise impacted.

**Except with the written consent of the DEECA Hume region within the area of native vegetation to be retained and tree protection zone associated with the permitted use and/or development, the following is prohibited:**

- a) Vehicular or pedestrian access.**
- b) Trenching or soil excavation.**
- c) Storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products.**
- d) Entry and exit pits for underground services.**
- e) Any other actions or activities that may result in adverse impacts to retained native vegetation.**

#### **Offset Requirement**

- 5. To offset the removal of 0.15 hectares of native vegetation the permit holder must secure a native vegetation offset in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017) as specified below.**

#### **General Offset**

**A general offset of 0.107 General Habitat Units:**

- Located within the Goulburn Broken Catchment Management Authority boundary or Strathbogie Shire municipal district.**
  - With a minimum strategic biodiversity score of at least 0.465 and**
  - The offset(s) secured must provide protection of at least nine large trees.**
- 6. Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of Strathbogie Shire. This evidence is one or both of the following:**
    - a) An established first party offset site including a security agreement signed by both parties, and a management plan detailing the ten year management actions and ongoing management of the site and/or**
    - b) Credit extract(s) allocated to the permit from the Native Vegetation Credit Register. A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence by the responsible authority a copy of the endorsed offset evidence must be provided to the Department of Energy, Environment and Climate Action via [pa.assessment@delwp.vic.gov.au](mailto:pa.assessment@delwp.vic.gov.au)**

#### **COMMENCEMENT OF PERMIT**

- 7. This permit will operate from the issued date of this permit.**

#### **Permit Expiry**

- 8. This permit will expire if one of the following circumstances applies:**
  - a) The removal, destruction or lopping of native vegetation does not start within two years of the date of this permit.**

- b) The removal, destruction or lopping of native vegetation is not completed within four years of the date of this permit.**

**In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.**

**PLANNING NOTES**

**DEECA Planning Note**

- 9. In the event that any flora species listed as protected are to be removed from the public land, a permit to take protected flora under the *Flora and Fauna Guarantee (FFG) Act 1988* may be required. To obtain an FFG permit or further information, please contact a Natural Environment Program officer at the Hume regional office of the Department of Energy, Environment and Climate Action via [pe.assessment@delwp.vic.gov.au](mailto:pe.assessment@delwp.vic.gov.au)**

*146-23/24*

*CARRIED*

### **11.1.3 Process for Implementing Updated Flood Controls into Strathbogie Planning Scheme**

Author: Manager Planning and Investment

Responsible Director: Director Community and Planning

#### **EXECUTIVE SUMMARY**

Regular and significant climate change events have necessitated the requirement for appropriate flood mitigation measures to be introduced to protect the community. This has also been highlighted by the Parliamentary Inquiry into the October 2022 floods, and the findings and recommendations therein released in July 2024. The report emphasised the importance of protecting communities from the risk of flood.

Whilst drainage and infrastructure work in townships or work further upstream may be required to further safeguard residents, town planning also plays a significant role by guiding the way in which land is developed, used and subdivided. Although mitigation and protection through planning cannot be accomplished for properties that have already been developed, controls can be introduced to protect future development against the risk of flood.

This can be achieved through updating Council's planning controls that relate to flooding.

Strathbogie Shire has outdated flood controls within its planning scheme. The modelling and data underpinning the current flood controls in Strathbogie Shire is in excess of 20 years old.

Following the October 2022 floods, the Department of Transport and Planning (DTP) undertook research of all Victorian municipalities to conclude that approximately one quarter of flood studies completed in the State had been incorporated into the relevant planning schemes. In May 2023, the Minister for Planning appointed a flood related committee to hear flood related planning scheme amendments so as to have a consistent approach to the application of new flood controls in Victorian planning schemes.

Coinciding with this appointment, the Minister for Planning also announced funding for the fast tracking of planning scheme amendments to introduce the recommendations of flood studies. The state government funding has also offered professional help to under-resourced Councils. Strathbogie Shire currently have three flood studies that have not been implemented into the Strathbogie Planning Scheme, applying to Euroa, Nagambie and Violet Town.

To address this an agreed approach with DTP is to introduce interim flood controls for the three towns and then at the same time undertake community consultation with affected owners and occupiers for the permanent implementation of the flood controls. The introduction of interim flood controls will minimise inappropriate flood risk for landowners in relation to new development, while the full amendment process is undertaken.

This report is being presented to Council in order to seek support for an updated process in relation to the implementation of flood controls into the Strathbogie Planning Scheme, from the previous Council resolution of November 2022. The process is outlined in the recommendation below.

Council officer's do have delegation under the *Planning and Environment Act 1987* to undertake certain aspects of this recommendation to Council. However, it was identified that due to the nature and size of the proposed changes to the Strathbogie Planning Scheme, it is more appropriate for this direction to be determined at a Council meeting.

### **The Administrator adopted the Motion**

#### **That Council:**

#### **General**

##### **1. Adopts the:**

- a. Nagambie Flood Study – Final Report, 2017**
- b. Violet Town Flood Study, May 2007; and**
- c. Euroa Flood Mapping and Flood Intelligence Project Report, May 2015**

**2. If a peer review of these studies is commissioned by, or on behalf of, Council, a further report must be prepared for Council to consider that peer review.**

**3. Continues to work with the Goulburn Broken Catchment Management Authority and the Department of Transport and Planning to progress planning scheme amendments to introduce interim and permanent flood controls for Euroa, Nagambie and Violet Town.**

#### **Interim controls**

**4. Requests the Minister for Planning to prepare an amendment under section 8 of the Planning and Environment Act 1987 (PE Act), and to rely on section 20(4) of the PE Act to exempt herself from the notice requirements of sections 17, 18, and 19 of the PE Act, to apply the Land Subject to Inundation Overlay, on an interim basis, to the land identified in the following reports as being subject to flooding which is not presently identified under the Strathbogie Planning Scheme as being subject to flooding:**

- a. Nagambie Flood Study – Final Report, 2017**
- b. Violet Town Flood Study, May 2007; and**
- c. Euroa Flood Mapping and Flood Intelligence Project Report, May 2015.**

**5. After considering its earlier resolution of 15 November 2022, regarding the need for further consultation in Nagambie, is satisfied that further consultation is not required to prepare an amendment that introduces a Land Subject to Inundation Overlay on an interim basis given the interim nature of the proposed overlay and that further consultation will be undertaken as part of preparing the draft planning scheme amendment for permanent controls.**

#### **Permanent Controls**

**6. Writes to the Minister for Planning seeking written consent to prepare a draft planning scheme amendment to the Strathbogie Planning Scheme to introduce permanent flood controls, including an amended/new Strathbogie Local Floodplain Development Plan, generally in accordance with the:**

- a. recommendations of the Nagambie Flood Study – Final Report, 2017
  - b. recommendations of the Violet Town Flood Study, May 2007
  - c. recommendations of the Euroa Flood Mapping and Flood Intelligence Project Report, May 2015
  - d. advice from the Goulburn Broken Catchment Management Authority and the Department of Transport and Planning; and
  - e. any peer review.
7. After receiving the Minister’s written consent, prepare a draft planning scheme amendment to the Strathbogie Planning Scheme to introduce permanent flood controls generally consistent with the Minister’s consent.
8. Supports and directs the inclusion of community consultation as part of the draft planning scheme amendment process for permanent controls.
9. After considering its earlier resolution of 15 November 2022, is satisfied that the proposed community consultation on the draft planning scheme amendment will appropriately engage with the Nagambie community about the proposed controls and is consistent with the intent of the previous resolution.
10. Requests that a further report is prepared considering the outcome of the community consultation on the draft planning scheme amendment.
11. Support and direct officers to write to the Department of Transport and Planning confirming Councils intention to utilise the Flood-related Amendments Standing Advisory Committee to review any unresolved submissions.

**147-23/24      CARRIED**

#### **11.1.4 Planning Applications Received and Determined 1 July to 31 July 2024**

Author: Manager Planning and Investment

Responsible Director: Director Community and Planning

##### **EXECUTIVE SUMMARY**

This report provides listings of all Planning Applications Received (Attachment 1) and Planning Applications Determined (Attachment 2) for the period of 1 to 31 July 2024. The latest available Planning Permit Activity Performance (PPARS) Figures are also attached (Attachment 3). It should be noted that the latest PPARS Figures are for the month of June 2024.

The July 2024 PPARS figures were not available at the time of writing this report as the monthly figures are not updated until 15<sup>th</sup> of each month. The contents of this report are provided for information purposes only, the listing of current planning applications on public display can be found on Council's website.

It is noted that there were seventeen (17) new planning applications received and twenty (20) planning applications decided on during the reporting period.

Attachment 4 to this report provides an update on current Victorian Civil and Administrative Tribunal (VCAT) appeals where no decision has been made.

##### **The Administrator adopted the Motion**

##### **That Council:**

- 1. Receive the report; and**
- 2. Note that there were seventeen (17) new planning applications received, and twenty (20) planning applications decided on during the period of 1 to 31 July 2024.**

*148-23/24 CARRIED*



## **11.2 COMMUNITY**

### **11.2.1 Strategic Funding Agreements: Rowing Victoria Incorporated and Euroa Show and Shine Incorporated**

Author: Manager Community and Culture

Responsible Director: Director Community and Planning

#### **EXECUTIVE SUMMARY**

Council has received requests from Rowing Victoria Incorporated and Euroa Show and Shine to enter into Strategic Funding Agreements for the delivery of large-scale events in the municipality.

This report outlines the terms and conditions of a Strategic Funding Agreement between Strathbogie Shire Council ("Council") and the following organisations:

- Rowing Victoria Incorporated ("Rowing Victoria") for the waiver of fees associated with the use of the Nagambie Lakes Regatta Centre.
- Euroa Show and Shine Incorporated for the waiver of fees and awarding of annual funding for running the Australian National Show and Shine event in Euroa.

The Nagambie Lakes Regatta Centre, a premier water sports facility, has been central to rowing activities since the 1890s. Rowing Victoria has a 25-year history of hosting major rowing regattas at the venue which attracts significant participation and spectatorship that consequently boosts the local economy. However, additional costs associated with hosting these events at Nagambie have been identified and threatened the delivery of events in 2023-24. These events attract between 800-8,000 competitors, supporters and spectators who stay overnight, sometimes multiple nights, during the events.

The annual Australian National Show and Shine car and motorbike show has been hosted in Euroa for over 20 years. The show attracts competitors, families, friends and spectators with over 7,000 attendees annually, delivering an estimated \$500,000 economic boost to the local economy.

The Strategic Funding Agreements support the continued success of the above mentioned events which promote regional tourism and provide significant economic and social benefit to the Region.

#### **The Administrator adopted the Motion**

##### **That Council:**

- 1. Authorise the Chief Executive Officer to execute a Strategic Funding Agreement with Rowing Victoria Incorporated for a period of three years, to the value of \$13,580 in 2024-25, \$7,760 in 2025-26, and \$13,580 in 2026-27, subject to increases approved by Council as detailed in the adopted Annual Budget fees and charges statement, for the respective financial year, over the term of the agreement; and**
- 2. Authorise the Chief Executive Officer to execute a Strategic Funding Agreement with Euroa Show and Shine Incorporated for a period of three years, for a total cost of \$6,180 per annum, subject to increases approved**

**by Council as detailed in the adopted Annual Budget fees and charges statement, for the respective financial year, over the term of the agreement.**

*149-23/24 CARRIED*

**11.2.2 Strathbogie Shire Council Economic Development Strategy and Action Plan 2023-27: Annual Progress Report**

Author: Economic Development and Project Coordinator

Responsible Director: Director Community and Planning

**EXECUTIVE SUMMARY**

The Strathbogie Shire Economic Development Strategy and Action Plan 2023–27 (*the Strategy*) outlines the key directions and priorities for Strathbogie Shire Council to support economic development and sustained growth for the local economy.

The actions and recommendations outlined in the Strategy are designed to achieve economic development outcomes and drive economic uplift to benefit the community, workers and businesses within the Shire.

The Strategy was adopted at the Council meeting held on 20 June 2023.

This report presents an annual progress report to Council for noting.

**The Administrator adopted the Motion**

**That Council note the 2023-24 Annual Progress Report for the Strathbogie Shire Council Economic Development Strategy and Action Plan 2023-27.**

*150-23/24 CARRIED*

### **11.2.3 Event Grant Applications Received**

Author: Events and Business Relationship Support Officer

Responsible Director: Director Community and Planning

#### **EXECUTIVE SUMMARY**

Council adopted a community funding model that sets out the strategic direction and associated guidelines for the distribution of community funding for Strathbogie Shire Council for 2024-2025. Event Grants provide grants of up to \$5,000 to eligible organisations and associations for events that align with the objectives of the Council Plan 2021-2025, submitted in line with Council's Event Guidelines.

Council has received seven (7) event grant applications for Council's consideration this month. Six (6) applications are being recommended for funding and the other application has been withdrawn as it is more suitable for a strategic funding agreement between Council and Euroa Show and Shine Incorporated.

Officers have worked diligently with community event organisers to submit their applications this month due to the upcoming restrictions imposed during the Council Election period.

These events align with the Council Plan and will result in significant social benefits to the community, thereby meeting the requirements of the Event Funding Guidelines, consistent with the Community Funding Model adopted by Council.

Council has a budget of \$50,000 allocated to Event Grants under the Community Funding Model in the 2024-2025 budget. Applications have been submitted in-line with the Event Grant Guidelines 2024-25 adopted on 25 June 2023 and have been assessed using the relevant assessment process. The six (6) applications being recommended for funding are of a good standard.

This report also seeks Council approval for the Chief Executive Officer to award event grants under delegation throughout the Election Period, provided the Grant applications meet the program eligibility and assessment requirements and subject to available approved budget allocation in the 2024-2025 budget. This will ensure the continuity of the program and support community groups during the Election Period.

#### **The Administrator adopted the Motion**

##### **That Council:**

- 1. Award event grant funding to six (6) applicants for the total sum of \$20,883.30 to the following organisations:**

**Strathbogie "Cup Weekend" Festival Committee  
(under the auspice of Strathbogie Tablelands Action Group) \$5,000.00**

<b>Avenel Active Incorporated</b>	<b>\$4,213.00</b>
<b>Euroa Citizens Band Incorporated</b>	<b>\$1,730.30</b>
<b>Euroa Sheep Dog Club (under the auspice of the Victorian Yard Utility Farm Dog Association Incorporated)</b>	<b>\$5,000.00</b>
<b>Euroa Chamber of Business and commerce Incorporated</b>	<b>\$3,000.00</b>
<b>Cranksters Rod and Kustom Club of Vic Inc</b>	<b>\$1,940.00</b>

- 2. Work with grant recipients to reduce overall waste produced at the event through the implementation of the objectives of both the Waste Wise Events Policy and Sustainable Strathbogie 2030 in being “A Zero Waste Shire”**
- 3. Authorise the Chief Executive Officer to award event grants under delegation throughout the Election Period, provided the Grant applications meet the program eligibility and assessment requirements and subject to available approved budget allocation in the 2024-2025 budget; and**
- 4. Note that any grants awarded under Chief Executive Officer delegation are included in the monthly Contracts, Works, Grants and Variations Awarded Under Delegation Council report at the next appropriate meeting.**

**151-23/24      CARRIED**

### **11.2.4 Domestic Animal Management Plan 2021-2025: Annual Progress Report**

Author: Director Community and Planning

Responsible Director: Director Community and Planning

#### **EXECUTIVE SUMMARY**

The *Domestic Animals Act 1994* (the Act) requires Council to prepare a Domestic Animal Management Plan every four years. At its meeting in December 2021, Council adopted the 2021-2025 Domestic Animal Management Plan (the Plan) after significant community consultation on its development.

The Plan outlines the key issues, objectives, and priorities for how cats and dogs will be managed in our Shire. The plan covers issues such as:

- The importance of pets to Shire residents.
- Concerns about animal-related matters (nuisance animals, dog attacks, dangerous dogs and restricted breeds).
- Ideas and resources to help locals manage and care for their pets.
- Dogs in parks and reserves.
- How well information provided by Council about pets and animal management addresses the needs of residents.

The Plan has eight focus areas, each with their own priority actions which may have a specific year of delivery or may be ongoing.

Under section 68A(3) of the *Domestic Animals Act* Council must:

- a) Review its Domestic Animal Management Plan annually and, if appropriate, amend the plan.
- b) Provide the secretary with a copy of the plan and any amendments to the plan.
- c) Publish an evaluation of its implementation of the plan in its annual report.

This report provides an overview of the key achievements in 2023-24.

#### **The Administrator adopted the Motion**

**That Council note the annual progress report on the 2021–2025 Domestic Animal Management Plan.**

152-23/24      CARRIED

### **11.2.5 Play and Open Space Strategy 2024-2034**

Author: Manager Community and Culture

Responsible Director: Community and Planning

#### **EXECUTIVE SUMMARY**

Council has developed a draft Play and Open Space Strategy 2024-34. The Strategy aims to address the diverse needs of our community by enhancing access to play spaces, promoting active lifestyles, and fostering social interaction while also preserving and enhancing our natural environment. The need to develop a Play and Open Space Strategy was identified as an action in the Council Plan 2021-25.

The draft Strategy is the result of a comprehensive audit and technical papers completed by external consultant, JF Studio Pty Ltd, and multiple stages of community engagement with schools, kindergartens, events and the broader community.

Council's draft Play and Open Space Strategy 2024-34 incorporates broad design and development principles for play and open space, including dog parks and exercise stations and will help guide Council's commitment and investment in these assets.

At the June 2024 Council meeting, Council endorsed the release of the draft Strategy for broad community consultation and feedback for a four-week period.

The feedback from the final consultation period has been collated and reviewed to inform the draft Strategy.

#### **The Administrator adopted the Motion**

##### **That Council:**

- 1. Adopt and implement the Play and Open Space Strategy 2024-34**
- 2. Note the requirement to undertake a detailed disability access assessment and work to improve disability access as part of each play space renewal and/ or upgrade, subject to available funds.**

**153-23/24      CARRIED**

### **11.2.6 Balmattum Hill Mountain Bike Trail Feasibility Assessment**

Author: Director Community and Planning

Responsible Director: Chief Executive Officer

#### **EXECUTIVE SUMMARY**

Strathbogie Shire Council received state government funding of \$241,600 through the Department of Jobs, Precincts and Regions Investment Fast-Track Fund 2022-23 to complete a feasibility assessment for a Mountain Bike Trail on Balmattum Hill at Euroa.

In accordance with the Council procurement process Stantec, an experienced consulting company with expertise in track and trail development, was engaged to undertake the Feasibility Assessment.

The assessment was undertaken in two stages:

- Stage 1: an exploratory study into the constraints and opportunities of the Balmattum Hill site
- Stage 2: delivery of a business case in preparation of a shovel-ready project, for a future funding bid.

Both Stages have been completed and this report presents the findings from the assessment to Council for noting.

#### **The Administrator adopted the Motion**

##### **That Council:**

- 1. Note the findings of the Balmattum Hill Mountain Bike Trail Feasibility Assessment**
- 2. Authorise officers to continue to progress the next steps as outlined in the Stage Two Balmattum Hill Mountain Bike Trail Final Report June 2024, subject to available funding in the 2024-25 Council operating budget; and**
- 3. Work with key stakeholders to identify funding opportunities to progress the Balmattum Hill Mountain Bike Trail, as per the directions in the report.**

154-23/24      *CARRIED*

## **11.3 INFRASTRUCTURE**

### **11.3.1 Tender for Contract No. 24/25-07: Design and Construct of Two Play Spaces, Strathbogie and Moglonemby**

Author: Manager Project Delivery

Responsible Director: Director Sustainable Infrastructure

#### **EXECUTIVE SUMMARY**

Strathbogie Shire Council plans to replace the existing play equipment located at the Strathbogie Recreation Reserve and Moglonemby Hall.

In September 2023, Council completed an audit of all its playgrounds and open spaces, with both Strathbogie Recreation Reserve and Moglonemby Hall being identified as requiring updating.

The construction of updated play spaces will provide the communities with a multi-functional and adaptable space that will encourage social interaction and promote health and well-being.

Council has developed a new Playground and Open Space Strategy that is being presented at the August Council meeting for Adoption, and a key component of the new strategy is to identify equipment that doesn't meet regulatory requirements and outline a replacement plan. The play spaces included in this contract require immediate work to ensure safety and compliance and its replacement will also be consistent with best practice play provision.

Council invited tenders for the work under Contract 24/25-07 advertised between 28 June 2024 and 24 July 2024. At the close of tender on 24 July 2024, six (6) tenders were received. Of these tenders, two (2) were deemed non-conforming.

Upon Council approval, the successful tenderer will provide Council with options for the play equipment, and Council will conduct community consultation prior to its ultimate construction.

#### **The Administrator adopted the Motion**

##### **That Council:**

- 1. Receive and note the outcome of the tender assessment process for Contract No. 24/25-07 Design and Construct of two Play Spaces, Strathbogie and Moglonemby**
- 2. Award the tender for contract No 24/25-07 Design and Construct of 2 Play Spaces, Strathbogie and Moglonemby - Lump Sum to CRS Creative Recreation Solutions Pty Limited of Unanderra NSW, for a total amount of \$197,351.79 inclusive of GST**
- 3. Authorise officers to advise unsuccessful tenderers**
- 4. Authorise the Chief Executive Officer to execute the Contract by signing and affixing the Common Seal of Strathbogie Shire Council.**

155-23/24      *CARRIED*



### **11.3.2 Tender for Contract No. 24/25-02: Roads Reseal Program 2024-25**

Author: Senior Project Officer - Projects Delivery

Responsible Director: Director Sustainable Infrastructure

#### **EXECUTIVE SUMMARY**

As part of the Strathbogie Shire Council's approved 2024-25 Capital Budget, selected roads have been identified for resealing. This will improve safety, increase the life of the roads, lower ongoing maintenance costs and decrease the frequency of maintenance activities. To implement the reseal program, tender documentation was prepared for the public advertisement.

The contract for 2024-25 is planned to reseal selected segments of 15 Council roads which were prioritised based on third party road conditions assessment. The total work package expands across 50km in length. The work also includes reinstatement of line marking with long life thermoplastic markings, as required and where applicable on those road segments.

Through public advertisement in local and state newspapers, Council invited tenders for the work under Contract No. 24/25-02, Roads Reseal Program between 27/06/2024 and 24/07/2024. At the closing of tender, seven (7) tender submissions were received. These tenders have been assessed and evaluated by Council Officers and a summary of results is detailed in this report.

It is recommended that the Council awards the lump sum contract to Boral Resources Pty Ltd, for a total amount of \$1,655,064.60 (including GST) based on the tender evaluation outcomes.

#### **The Administrator adopted the Motion**

##### **That Council:**

- 1. Note the outcome of the tender assessment process for Contract No 24/25-02 Roads Reseal Program**
- 2. Award the tender for Contract No 24/25-02 Roads Reseal Program - Lump Sum for a total amount of \$1,655,064.60 (including GST) to Boral Resources Pty Ltd (trading as Boral Asphalt) based in Port Melbourne, with project specific operations carried out from Bendigo depot**
- 3. Authorise officers to advise the unsuccessful tenderers**
- 4. Authorise the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council.**

156-23/24      *CARRIED*

### **11.3.3 Tender for Contract No. 23/24-74: Municipal Building Services**

Author: Director Community and Planning

Responsible Director: Chief Executive Officer

#### **EXECUTIVE SUMMARY**

Council has undertaken a competitive tender process to engage a contract provider for the delivery of Municipal Building Services. This process has been undertaken to ensure best value for the municipal community and to ensure Council meets compliance requirements of the *Local Government Act 2020* and Strathbogie Shire Council Procurement Policy.

Through public advertisement in local and statewide newspapers, Council invited tenders for the provision of Municipal Building Services (initial three year term with a two year extension option) with the initial tender opening at 9am on Wednesday 26 June 2024. At close of the initial tender on Friday 19 July 2024, two (2) tender submissions were received.

A comprehensive evaluation of all submissions was conducted by the evaluation panel, and a summary of the evaluation results is provided in this report. It is recommended that Council award the tender to (Government Shared Services) GOVSS Pty Ltd and authorise the Chief Executive Officer to execute the Contract accordingly.

#### **The Administrator adopted the Motion**

##### **That Council:**

- 1. Award Contract No. 23/24-74 – Municipal Building Services (three year term) to GOVSS Pty Ltd of Melbourne for a lump sum amount of \$592,328, including GST**
- 2. Authorise the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council**
- 3. Note that the Contract will commence on 15 September 2024 and conclude on 14 September 2027.**

157-23/24      CARRIED

### **11.3.4 Tender for Contract No. 24/25-01: Major Patching Program 2024-2025**

Author: Manager Project Delivery

Responsible Director: Director Sustainable Infrastructure

#### **EXECUTIVE SUMMARY**

As part of the 2024-25 adopted Capital Works program, Council plans to carry out major patching of selected sections of the municipal roads which were prioritized based on the Road Conditions Assessment. Work will also include sealing, installation of raised reflective pavement markers, line marking, and installation of guideposts as required.

This maintenance program ensures Council roads retain their quality and their lifespans are extended, thus providing long-term cost savings to Council by ensuring that ongoing maintenance is kept to the minimum.

Through public advertisement in local and national newspapers, Council invited tenders for the work under Contract No. 24/25-01 Major Patching Program between 5/07/2024 and 31/07/2024.

Seven (7) tenderers submitted tenders for the Work. These tenders have been assessed and evaluated by Council Officers. and a summary of results was provided. The report recommends that Council awards the tender to Szabolics Construction Pty Ltd of Wodonga Vic, for a total amount of \$636,580.03 inclusive of GST.

#### **The Administrator adopted the Motion**

##### **That Council:**

- 1. Receive and note the outcome of the tender assessment process for Contract No. 24/25-01 Major Patching Program 2024-25**
- 2. Award the tender for Contract No. 24/25-01 Major Patching Program 2024-25 - Lump Sum to Szabolics Construction Pty Ltd of Wodonga, for a total amount of \$636,580.03, inclusive of GST**
- 3. Authorise officers to advise unsuccessful tenderers**
- 4. Authorise the Chief Executive Officer to execute the Contract by signing and affixing the Common Seal of Strathbogie Shire Council**
- 5. Note that construction is anticipated to be completed by December 2024.**

158-23/24      *CARRIED*

### **11.3.5 Tender for Contract No. 23/24-78: Footpath Patching and Repair - Panel of Suppliers**

Author: Manager Project Delivery

Responsible Director: Director Sustainable Infrastructure

#### **EXECUTIVE SUMMARY**

Council is seeking to appoint a panel of suppliers to assist in the management of the condition of its concrete footpaths within the municipality. Services sought under this tender are for the repair work of existing footpaths and construction of new footpaths as identified in the capital works program.

Council has undertaken a competitive tender process to ensure the procurement process for the Panel of Concrete Footpath Providers Contracts represents the best value for the municipality and meets compliance requirements of the *Local Government Act 2020* and Strathbogie Shire Council's Procurement Policy.

Through public advertisement in local newspapers and eProcure, Council invited tenders for the Panel of Concrete Footpath Providers with the tender opening at 9am Wednesday 12 June 2024. At the close of the tender at 4pm Wednesday 5 July 2024, nine (9) tender submissions were received.

After initial independent assessment and evaluation, the result of the officer evaluations is summarised in the tables within this report. This report looks to award this tender in line with this assessment to the preferred tenderers who will form the panel of suppliers.

#### **The Administrator adopted the Motion**

##### **That Council:**

- 1. Award Contract No. 23/24-78 Footpath Patching and Repair - Panel of Suppliers, for a schedule or rates-based contract for the contract term of 1 year with the option to extend for a further two additional one year terms at Council's discretion to:**
  - Bells Civil Excavations
  - Cleave's Earthmoving & Drainage Pty Ltd
  - North VIC Contractors Pty Ltd
  - Smart Civil Pty Ltd
  - Spot on Concreting Pty Ltd
  - The Trustee for The Steven Iaria Family Trust
  - Venn, Anthony Hayden
- 2. Authorise officers to advise unsuccessful tenderers accordingly**
- 3. Authorise the Chief Executive Officer to execute the Panel of Supplier arrangements by signing and affixing with the Common Seal of Strathbogie Shire Council, and to extend for a further two additional one year terms at Council's discretion.**

159-23/24     *CARRIED*

### **11.3.6 Changes to Capital Works Footpath Program**

Author: Manager Project Delivery

Responsible Director: Director Sustainable Infrastructure

#### **EXECUTIVE SUMMARY**

The purpose of this report is to amend the locations of footpath renewal work detailed in Council's Capital Works program.

As part of the 2024-25 adopted Capital Works program, Council planned to perform new and renewal works on selected footpaths across the Council's footpath network.

The following footpath sites were listed in the 2024-25 Capital Budget to be renewed:

- Prentice Street, Nagambie
- Anderson Street, Avenel
- Lewis Street, Euroa
- Queen Street, Avenel
- Hyacinth Street, Violet Town.

However, due to the poor condition of the above footpaths, renewal work has been completed in previous years from budget savings and operational budgets when possible.

The following footpaths have been identified as requiring renewal through the analysis of existing defect reports and Council Officer inspections:

- Elizabeth Street, Euroa
- Railway Street, Euroa
- Clifton Street, Euroa.

Council's approval is sought to amend the Capital Works program to reflect the location changes as detailed above.

#### **The Administrator adopted the Motion**

**That Council amend the locations of footpath renewal work detailed in Council's 2024-25 Capital Works program by:**

##### **1. Removing:**

- **Prentice Street, Nagambie**
- **Anderson Street, Avenel**
- **Lewis Street, Euroa**
- **Queen Street, Avenel**
- **Hyacinth Street, Violet Town; and**

##### **2. Including:**

- **Elizabeth Street, Euroa**

- **Railway Street, Euroa**
- **Clifton Street, Euroa.**

160-23/24     *CARRIED*

### **11.3.7 Capital Program Delivery status as at 30 June 2024**

Author: Director Sustainable Infrastructure

Responsible Director: Director Sustainable Infrastructure

#### **EXECUTIVE SUMMARY**

This report provides an update on the delivery of the capital works program. 92.5% of the projects were delivered on time and the remainder have been carried over in to the 2024-25 financial year for completion as reported in the last status report.

The projects carried over to be completed in 2024-25 are listed below and further commentary regarding these projects is detailed in the body of this report.

- Violet Town Landfill Refurbishment
- Euroa Civic Centre Toilets Refurbishment
- Stormwater Strategy
- Chinamans Bridge
- Arboretum Path Design
- Nagambie Streetscape Design
- Weir Road Upgrade
- Plant and Equipment Replacement Program
- Major Road Patching Contract
- Nagambie Foreshore Boardwalk Refurbishment – Stage 1
- Nagambie Locksley Road Intersection
- Kirwans Bridge Reserve.

#### **The Administrator adopted the Motion**

##### **That Council note:**

- 1. 92.5% of the Capital Works Program projects were delivered on time**
- 2. Twelve projects have been identified to be carried over for completion in the 2024-25 financial year**
- 3. Receive and note the Capital Program Delivery status report effective 30 June 2024.**

161-23/24     *CARRIED*

### **11.3.8 Contracts, Works, Variations and Grants Awarded Under Delegation 1 July to 31 July 2024**

Author: Procurement and Tenders Officer

Responsible Director: Director People and Governance

#### **EXECUTIVE SUMMARY**

The purpose of this report is to inform Council and the community of the status of request for the publicly advertised tenders, invitations for written quotations and quotations provided using collaborative and/or third-party contracts which have been awarded under delegation for the period 1 July 2024 to 31 July 2024. This report specifically relates to works that form part of Council's 2024-25 adopted Budget.

This report also details any grants awarded as per Council's adopted Community Funding Model, or variations approved under delegation. Council adopted a Community Funding Model at the July 2023 Council Meeting authorising the Chief Executive Officer to award Quick Response Grants.

#### **The Administrator adopted the Motion**

##### **That Council note:**

- 1. The contracts awarded under delegated authority by the Chief Executive Officer**
- 2. The contract awarded under delegated authority by the Director**
- 3. No Low value Contract Variations of up to 15% of original Contract value, but less than \$15,000 (inclusive of GST), awarded under delegation by the Chief Executive Officer in July 2024**
- 4. There were no quick response grant applications received during the reporting period.**

*162-23/24 CARRIED*

## **11.4 CORPORATE**

### **11.4.1 Council Policy Review - Events Policy 2024**

Author: Manager Community and Culture

Responsible Director: Director Community and Planning

#### **EXECUTIVE SUMMARY**

Organisational policies provide the framework and structure for Council's business operations to ensure application of good governance, risk and compliance.

Strathbogie Shire Council plans, manages, supports and delivers a range of events, functions and festivals held in Council facilities and on Council owned/managed land. The purpose of this policy is to provide the community and Council staff with clarity and an understanding of Council's objectives and approach with regards to the delivery and support of events.

The Events Policy (Policy) was first adopted by Council in August 2021 and underwent a review in June 2023, with several amendments made. In line with Council's approach to continuous improvement the policy has undergone a subsequent review in 2024 with the following proposed changes:

- process improvements following community feedback or changes to process
- inclusion of wording around the introduction of fees and charges and the process to request waiving of fees, consistent with the adopted Fees and Charges 2024-2025
- updated information on risk management for events consistent with Council's current Risk Policy.

The Policy applies to all Council and Community run events conducted on land owned or managed by Strathbogie Shire Council. This Policy is supported by the Event Management Framework for the delivery of internal and external events within the Shire, and an associated Events Toolkit for the community.

This report presents the updated policy to Council with the proposed changes for consideration and adoption.

#### **The Administrator adopted the Motion**

##### **That Council:**

- 1. Adopt the updated Strathbogie Shire Council Events Policy 2024**
- 2. Place the updated Policy on Council's website, along with the publication of a notice in Council's weekly newspaper column and social media pages about the adoption of the policy**



**3. Note the Policy will be reviewed biennially and may change at any time, subject to a Council resolution.**

163-23/24 CARRIED

#### **11.4.2 Council Policy Review – Updated Procurement Policy and Procedure 2024**

Author: Chief Financial Officer

Responsible Director: Director People and Governance

##### **EXECUTIVE SUMMARY**

Council, at its meeting held 16 July 2024, adopted the updated Procurement Policy and Procedure in its current form.

Section 108 (1) of the *Local Government Act 2020 (the Act)* requires Council to prepare, adopt and comply with a Procurement Policy and Procedure. At the July 2024 Council meeting, Council updated the Procurement Policy and Procedure by approving the following changes:

- Section 21.1 – inclusion of wording to set aside a tenderer if it is over budget by 15% and that if a Council Tender Report is required for approval, all tendered prices including the over budget tender prices will be tabled.
- Section 26 – new section to include financial variations of up to 15% of original contract value but less than \$15,000 inclusive of GST and within the original budget allocation can be approved by the CEO.
- Throughout the policy – change from guidelines to procedure.

An anomaly has been identified following the recent adoption of the Procurement Policy and Procedure. This report seeks Council approval to amend the Procurement Policy and Procedure by removing the financial variation amounts identified in section 26 of the policy, as there are current and existing powers to authorise contract (financial) variations contained within the Strathbogie Shire Council Instrument of Delegation for Certain Financial Transactions and Procurement Functions. All other changes included in the July 2024 update, remain.

Given this minor change the proposed amended policy was not presented to Council's Audit and Risk Committee. The updated policy is presented to Council for its adoption.

##### **The Administrator adopted the Motion**

##### **That Council:**

- 1. Adopt the updated Procurement Policy and Procedure 2024**
- 2. Place the updated policy on Council's website, along with the publication of a notice in Council's weekly newspaper column and social media pages informing the community about the adoption of the updated policy.**

164-23/24 CARRIED



### **11.4.3 New Council Policy: Draft Lease and Licensing Policy 2024**

Author: Principal Property Officer

Responsible Director: Director Community and Planning

#### **EXECUTIVE SUMMARY**

Organisational policies provide the framework and structure for Council's business operations to ensure application of good governance, risk and compliance.

The Lease and Licensing Policy (*the Policy*) has been necessitated following the introduction of the *Local Government Act 2020* and due the high number of assets Council provide for the benefit of the community, for community purposes. Council has previously not had a Lease and Licensing policy. Previously these assets were managed by Section 86 Committees of Management, which were an extension of Council, under the *Local Government Act 1989*, which no longer applies.

The draft Policy ensures that a consistent, equitable and transparent approach is taken to leasing and licensing of Council properties that provide community benefit and in a manner that complies with all legal requirements.

The scope of the draft Policy is to support Council in its decision making in accordance with obligations under the *Local Government Act 2020* and provides clarity on Council's approach to leasing and licencing to any party. The draft Policy supports the sustainability of Council's properties through appropriate and equitable contribution towards maintenance and oversight of the facilities in line with each category of occupier and the associated agreement.

The Policy relates primarily to the following property types as follows (inter alia):

- Community Halls and infrastructure
- Buildings/ sheds
- Land
- Kindergartens/early years services
- Property for commercial purposes

It is important to note that this draft Policy currently does not apply to Council's Recreation Reserves and Sporting Clubs.

As per the recommendations from the 18 June 2024 Council Meeting, the Draft Lease and Licensing Policy was released for public exhibition and engagement on Wednesday 19 June and closed Wednesday 17 July 2024. All current occupants were invited to contribute and/or attend drop-in sessions of which 30 people attended and 20 written submissions were received.

The draft Policy has been reviewed considering the feedback received, and the draft Policy is presented to Council, along with some proposed transition measures to support the initial implementation of this Policy and reduce the financial burden of establishing new agreements.

**The Administrator adopted the Motion**

**That Council:**

- 1. Adopt the draft Lease and Licensing Policy**
- 2. Place the policy on Council's website, along with the publication of a notice in Council's newspaper columns and social media pages informing the community about the adoption of the policy**
- 3. Authorise officers to implement the transition measures as per points below:**
  - a) Waive the initial lease preparation fee for all occupants in Category Two (2), Three (3) and Four (4)**
  - b) Fix the peppercorn rental fee to \$1.00 per annum until 30 June 2026**
  - c) Any changes to Category Two (2) and Three (3) outgoing expense contributions comes into effect after 1 July 2025**
- 4. Authorise officers to respond to all twenty Submissions and thank them for their contribution to the draft Lease and Licensing Policy.**

*165-23/24      CARRIED*

#### **11.4.4 Execution of Master Inland Development Agreement – Inland Rail Pty Ltd (as an agent for the Australian Rail Track Corporation)**

Author: Director People and Governance

Responsible Director: Chief Executive Officer

##### **EXECUTIVE SUMMARY**

The Commonwealth Government's Inland Rail Project lead by Inland Rail Pty Ltd (as an agent for the Australian Rail Track Corporation (ARTC)) has a clear aim of getting more freight on rail. To support this vision in Victoria as part of the Tottenham to Albury project, work will be undertaken along the existing rail corridor throughout North East Victoria. More specifically in Euroa, there is not adequate clearance under the Anderson Street Bridge and new infrastructure will be required to safely allow for double-stacked carriage trains.

The Master Inland Rail Development Agreement (MIRDA) sets out the rules of engagement between Strathbogie Shire Council and Inland Rail Pty Ltd in order to successfully deliver the Inland Rail Programme, covering (but not limited to) the identification of assets impacted, returned works and standards to be used for the design, construction and handback of Council assets. This agreement is specifically between Inland Rail Pty Ltd and Strathbogie Shire Council. Similar agreements are in place with other local government authorities where the Inland Rail Project is occurring.

At the February 2024 Council meeting, Council resolved to:

1. Authorise the Chief Executive Officer to execute the Master Inland Rail Development Agreement with the Australian Rail Track Corporation, pending the following changes to the proposed Agreement:
  - a. Remove any reference to specific return assets or new assets (that would be the responsibility of Council) from the Agreement until such time that they are negotiated between the parties; and
  - b. Remove any reference to the Goods Shed until such time as its heritage status is resolved; and
  - c. Any amendments consequential on the above changes, and
  - d. Direct that the date of execution of the Agreement be conditional upon the Chief Executive Officer being satisfied that there is sufficient opportunity to provide comment and feedback on design solutions prior to Council acceptance
2. Request that, following execution, the Chief Executive Officer table the executed Agreement at a Council meeting for noting by Council
3. Authorise the Chief Executive Officer to subsequently execute any documents that are necessary to give effect to the Agreement, including any Further or Supplementary Agreements recording amendments to the Agreement that are minor in character; and
4. Note that the Agreement does not preclude Council from publicly supporting the broader community to ensure the best design outcome for the underpass option.

The Agreement is now finalised and as directed by Council at its February 2024 Council meeting, the document has now been executed by the Chief Executive Officer and incorporates the required amendments. The agreement is presented to Council for noting.

**The Administrator adopted the Motion**

**That Council note the execution of the Master Inland Rail Development Agreement by the Chief Executive Officer as authorised by Council.**

166-23/24     *CARRIED*

### **11.4.5 Future Governance of Goulburn Valley Regional Library Corporation**

Author: Director People and Governance

Responsible Director: Chief Executive Officer

#### **EXECUTIVE SUMMARY**

The Goulburn Valley Regional Library Corporation (trading as Goulburn Valley Libraries) was formed in agreement between Moira Shire Council, Greater Shepparton City Council and Strathbogie Shire Council to deliver library services on behalf of the member Councils.

*The Local Government Act 2020 (the Act)* requires that regional library corporations move to alternative governance arrangements by 2030.

Goulburn Valley Regional Library Corporation (GVRLC) member Councils are currently considering how they will deliver their library services and then transition to new governance and operating arrangements by 2030.

At the December 2023 Council Meeting, Council resolved to:

1. *Provide in principle approval for the continued collaboration in the delivery of library services by Strathbogie Shire Council with the current member Councils (Greater Shepparton City Council and Moira Shire Council) of the Goulburn Valley Regional Library Corporation*
2. *Provide in principle approval for the adoption of the 'Not-for-profit, Company Limited by Guarantee model, registered under the Corporations Act 2001 and registered as a charity with the Australian Charities and Not-for-profits Commission, as the preferred future governance model for the Goulburn Valley Regional Library Corporation; and*
3. *Note and encourage a review of member Council cost contributions as part of any future collaborative governance model agreement.*

Since December, further work has been undertaken to understand the transition requirements to the new entity. The Goulburn Valley Libraries Board approved to engage Sharrock and Pitman Legal to undertake the legal requirements to transition to the new governance model. There has been commitment and approval from Greater Shepparton City Council and Moira Shire Council (in principle) to continue with a collaborative approach. To further progress the future governance arrangement, Sharrock and Pitman Legal have recommended that both Strathbogie Shire Council and Moira Shire Council make a more definitive commitment to the partnership to progress with the process.

Officers recommend that Council commit to continued collaboration in the delivery of library services by the current member Councils of the Goulburn Valley Regional Library Corporation and approve the adoption of 'Not-for-profit, Company Limited by Guarantee' model as the new governance structure. A review of the member cost contribution will be undertaken as part of the future collaborative governance model agreement (as per the resolution in December 2023).

**The Administrator adopted the Motion**

**That Council:**

- 1. Approve continued collaboration in the delivery of library services by the current member Councils of the Goulburn Valley Regional Library Corporation; and**
- 2. Approve adoption of the 'Not-for-profit, Company Limited by Guarantee model, registered under the Corporations Act 2001 and registered as a charity with the Australian Charities and Not-for-profits Commission, as the preferred future governance model for the Goulburn Valley Regional Library Corporation.**

*167-23/24 CARRIED*



#### **11.4.6 Council Authorisation for the Chief Executive Officer to award Contract No. 24/25-06 (Longwood Football Netball Club Changeroom) and Contract No. 24/25-19 (Longwood Recreation Reserve Septic System Upgrade)**

Author: Manager Community and Culture

Responsible Director: Director Community and Planning

##### **EXECUTIVE SUMMARY**

Council has successfully obtained \$549,460 (excluding GST) in grant funding from Sport and Recreation Victoria through the Regional Sports Infrastructure Fund to construct a female friendly netball changeroom facility at the Longwood Recreation Reserve, with a total project value of \$686,825. The project includes the delivery of a modular changeroom facility and upgrade of the septic system.

Council will be commencing two procurement processes to complete the project. The first will be a request for tender for the modular facility, the tender for which is to go to market in early August (Contract 24-25-06). The second will be a request for tender for the septic system upgrade (Contract 24-25-19); this is due to go to market shortly thereafter.

The timeframe for the procurement process and decision for the awarding of contracts to the successful tenderers for the works will fall during the Council Election Period.

To ensure the project is not delayed by the requirement to seek Council's approval to award the contracts post the tender evaluation process, this report seeks Council authorisation for the Chief Executive Officer to award the contracts in accordance with Council's procurement process and if the total project cost is within the project budget allocation.

By providing the Chief Executive Officer the delegated authority to award the works, project time delay risks due to the Election Period will be mitigated. This will assist in meeting the project timeframe which is to deliver the project prior to commencement of the 2025 football and netball season and meet the grant timelines and community expectations.

In the interests of transparency, the contracts awarded under delegation by the Chief Executive Officer will be reported at the next available Ordinary Meeting of Council.

##### **The Administrator adopted the Motion**

##### **That Council:**

- 1. Authorise the Chief Executive Officer following a competitive tender process to award contract 24-25-06 Longwood Football Netball Club Changeroom and Contract 24-25-19 Longwood Recreation Reserve Septic System Upgrade, for the total combined value of up to \$620,925 (excluding GST) to the successful tenderers**
- 2. Provide details of contracts awarded under Chief Executive Officer delegation at the next available Ordinary Meeting of Council.**

168-23/24      *CARRIED*

#### **11.4.7 Strathbogie Shire Council Audit and Risk Committee – Appointment of Independent Community Representative**

Author: Manager People and Culture

Responsible Director: Director People and Governance

##### **EXECUTIVE SUMMARY**

There is currently one vacancy on Strathbogie Shire Council's Audit and Risk Committee for an independent community representative following the sudden and tragic death of Alistair Thomson.

The Strathbogie Shire Council Audit and Risk Committee Charter requires the appointment of four (4) independent community representatives to help drive the important work undertaken by the Committee to provide independent oversight over Council finances, risk management and governance.

At its 21 June 2024 meeting, the Audit and Risk Committee endorsed the process and time schedule for advertising the vacancy. The interview panel comprised of the Chair of the Audit and Risk Committee, the Council Administrator (as the Councillor representative on the Audit and Risk Committee) and the Manager People and Culture.

The vacancy was widely advertised through locally and regionally circulating newspapers, Council's website and Local Government recruitment website between 28 June 2024 and 12 July 2024.

In response, five (5) applications were received with a wide variety of skills and work experience. The interview panel shortlisted these applications and conducted two (2) interviews.

Following this process, and after conducting referee checks, the panel have recommended that Mr John Tanner be appointed to the Strathbogie Shire Council Audit and Risk Committee for a term of three (3) years.

##### **The Administrator adopted the Motion**

**That Council appoint Mr John Tanner as independent community representative on the Strathbogie Shire Council Audit and Risk Committee for a three-year term commencing on 6 September 2024 and ending on 5 September 2027.**

169-23/24      *CARRIED*

#### **11.4.8 2021-25 Council Plan – 2023-24 Six Monthly Review – June 2024**

Author: Director People and Governance

Responsible: Chief Executive Officer

##### **EXECUTIVE SUMMARY**

The Council Plan represents a four-year road map for Council and describes the key priorities that Council will focus on between 2021 and 2025.

The Strathbogie Shire Council Plan 2021-25 was adopted in October 2021. A key consideration in developing this Council Plan was the new Community Vision, which captures the long-term goals and aspirations of the community for Strathbogie Shire. The Council Plan provides a guide to Council's strategic direction, objectives and key strategies for the period 2021-25 and the role that Council plays in achieving the Community Vision. Together, these are two important strategies to help plan for the future of the Shire.

The first annual review of the Council Plan was undertaken in June 2022 and with an updated Plan adopted by Council on 21 June 2022. The second annual review was presented to Council at the August 2023 Council Meeting and actions in focus for the 2023-2024 year were set.

To provide greater reporting transparency and updates to our community, this report represents a six-month review to June 2024 of the annual actions that were set for the 2023-24 period.

##### **The Administrator adopted the Motion**

##### **That Council:**

- 1. Note the progress on a range of actions across the six Strategic Focus Areas for the six-month period to June 2024 of the 2023-2024 Council Plan**
- 2. Inform the community on the six-monthly progress of the 2023-2024 Council Plan actions through Council's website.**

*170-23/24 CARRIED*

## **11.5 GOVERNANCE AND CUSTOMER SERVICE**

### **11.5.1 Updated Strathbogie Shire Council Governance Rules 2024**

Author: Director People and Governance

Responsible Director: Chief Executive Officer

#### **EXECUTIVE SUMMARY**

A requirement of the *Local Government Act 2020* is that the Council must develop, adopt, and keep in force Governance Rules.

The Governance Rules outline the procedures for Council meetings and set the rules of behaviour for those participating and present at the meeting. They also outline the process or contain information relating to the following:

- Process for the appointment of the Mayor and Deputy Mayor
- Meeting procedures and conduct directives for Council, Delegated Committees and Community Asset Committees meetings
- Disclosures of conflict of interests; and
- Election Period Policy.

An extensive review (including community engagement and consultation) of Council's Governance Rules was undertaken in 2023 and the Governance Rules were endorsed at the 17 October 2023 Council Meeting.

A requirement of Section (69) of the *Local Government Act 2020* is that a Council must also include an Election Period Policy in its Governance Rules.

Since the review in 2023, further amendments were identified to address changes to improve the implementation of the Governance Rules. In addition, the Election Period Policy was updated in preparation for the Local Government elections in October 2024.

At the April 2024 Council meeting, Council endorsed the release of the Governance Rules for community engagement as required by Section 60 (4) of the *Local Government Act 2020*.

The amendments included changes to Chapter Four of the Governance Rules, the Election Period Policy. The amendments, prepared by Council's lawyer and identified by Council Officers, enable the organisation to conduct business more effectively during the caretaker period.

For completeness, any restrictions relating to a member of Council staff running as a candidate will be covered in Council's Staff Code of Conduct CEO Directive. In addition, the Victorian Electoral Commission indicated that you cannot be a candidate if you are a member of Council staff of the Council. Officers can take leave from their role in order to nominate.

At the closing of submissions on 15 May 2024, a total of five (5) submissions were received. The submissions were reviewed and where appropriate, changes resulting from the consultation process were made to the draft Governance Rules.

The draft Governance Rules, including the above amendments (where required) were accepted by Council in June 2024 and subsequently released for further broader community consultation given a number of further changes to the Election Period Policy.

Following the further community consultation period of 28 days commencing 19 June 2024, no public submissions were received. Officers however are proposing additional minor changes and are summarised below:

Section	Proposed amendment
Section 35.4.3	Additional of words with “each question up to a maximum of 300 characters” (consistent with existing wording on website)
Election Policy Section 5 - Definitions	Chief Executive Officer – change to “includes an Acting Chief Executive Officer or an Interim Chief Executive Officer”
Election Policy Section 5 – Definitions	Updated to read Social Media, Websites and other digital platforms <ul style="list-style-type: none"> <li>• Removal of X and inclusion of LinkedIn</li> <li>• Remove Evolve Facebook account and replace with Youth Services accounts</li> <li>• Inclusion of Enewsletters and group emails and Apps (Applications)</li> </ul>
Election Policy Section 7 – Annual Report	Amend opening paragraph to read: Section 98 of the Act requires Council to prepare an Annual Report. As per section 100 (2)(a) and (2)(b) of the <i>Local Government Act 2020</i> , council is required to present its Annual Report at an open meeting on a day not later than the day before election day in the year of a general election or within 4 months of the end of the financial year in any other year. Since the Annual Report is required by legislation to be presented to a meeting of Council and published during the election period, the following will apply to an Annual Report presented to a Council meeting in the year of a general election.  Dot points updated to reflect the following: <ul style="list-style-type: none"> <li>• Information in the Annual Report will be restricted to what is required by legislation and will not contain any material that could be regarded as overt electioneering or that promotes individual Councillors or candidates.</li> <li>• Information referring to specific Councillors in the Annual Report will be limited to names, titles, contact details and membership of Delegated Committees and other bodies to which they have been appointed by Council.</li> <li>• A Mayor's message will be included in the Annual Report but restricted to general Council business and not specific achievements of elected representatives.</li> <li>• The Chief Executive Officer will determine the final content of the Annual Report produced.</li> <li>• The Annual Report is available on Council's website and display copies will be available at customer service centres. Printed copies will be made available on request.</li> </ul>
Section 9.3	Inclusion of second paragraph to read: Other existing content on Council's website is not subject to the Election Period Policy. However, where practicable, consideration will be given to the removal of existing prominent material, such as the front page of the website, that could be considered Electoral Matter.

	<p>Paragraph 3 updated to reflect new material: The Executive Manager, Communications, Engagement and Advocacy will review new information during the Election Period to ensure it does not contain electoral material.</p> <p>Last paragraph, deletion of no new material will be published on Council's websites or social media sites during an election period if it is in the nature of electoral material and replaced with the following: New content on social media channels is subject to the Election Period Policy during the election period. Staff responsible for administering individual social media sites will monitor their respective sites during the election period. Comments will be turned off where possible and moderated where not possible.</p>
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It is recommended that Council now adopts the updated Strathbogie Shire Council Governance Rules.

**The Administrator adopted the Motion**

**That Council**

- 1. Adopt the updated Strathbogie Shire Council Governance Rules**
- 2. Place the updated Governance Rules on Council's website, along with the publication of a notice in Council's newspaper columns and social media pages informing the community about the adoption of the updated Governance Rules.**

*171-23/24 CARRIED*

### **11.5.2 Monthly Performance Report**

This report provides an opportunity to inform both Council and our community on the performance of several different service areas across Council. The reports are provided on a monthly basis and give an overview of activity during the month.

The August 2024 Monthly Performance Report includes reports as follows:

- Customer Enquiry Analysis Report – Report for July 2024
- Waste Management Reporting ~ Year to Date – July 2024
- Transfer Station Date – July 2024
- Textile Recovery at Transfer Stations – November 2023 to June 2024
- Actioning of Council Reports Resolutions – Council Meeting Tuesday 16 July 2024
- Outstanding Actions of Council Resolutions to 31 July 2024
- Review of Council Policies and Adoption of new Policies – July 2024
- Records of Informal Council Briefings / Meetings – 1 to 31 July 2024

By reporting on a monthly basis, Council can effectively manage any risks that may arise. The Business Management System will also incorporate Council's corporate goals and objectives.

**The Administrator adopted the Motion**

**That Council note the August 2024 Monthly Performance Report.**

*172-23/24      CARRIED*

## **11.6 EXECUTIVE**

### **11.6.1 Community Satisfaction Survey 2024**

Author: Executive Manager Communications, Engagement and Advocacy

Responsible Director: Interim Chief Executive Officer

#### **EXECUTIVE SUMMARY**

All Councils across Victoria are required to take part in the Community Satisfaction Survey or an equivalent similar survey.

The results are included in the Local Government Performance Reporting Indicators and in Council's Annual Report. Strathbogie Shire Council is part of the small rural council grouping as set by Local Government Victoria. The results are also used to report on Council Plan Action Plan measures.

The survey is based on 400 telephone interviews which were conducted between February and March 2024.

Perceptions of overall performance, value for money and overall council direction declined significantly this year and are now at their lowest levels. Perceptions of close to half of the sixteen service areas evaluated also declined significantly this year. None have shown statistically significant improvements, although a small number compare favourably to the state and small rural average.

Whilst it is of note that the results have dropped significantly across most areas, the survey does not explore what is driving perceptions of satisfaction with individual service areas or core measures. It does, however, ask people what they think is the best thing about Council and what Council most needs to do to improve performance.

These two questions have a much higher response rate than previous years and show a significant volume of people nominating Council management, the removal of Councillors, harmony within Council, and elections compared to previous years.

The survey does not go so far as to link this to the results, but it is not unusual for Councils to record significant drops when there has been a major event such as the suspension of Councillors around the time of the survey.

The report includes key finding and recommendations for Council to focus on for the next 12 months as well as a detailed report on customer contact and preferred communication methods.

The survey report recommends a focus on community decisions as the strongest influence on overall perception followed by roads, consultation and informing the community which will have a moderate influence on overall perceptions. It also highlights environmental sustainability as a key positive influence on the overall rating.



**The Administrator adopted the Motion**

**That Council:**

- 1. Notes the findings of the 2024 Local Government Community Satisfaction Survey for Strathbogie Shire Council**
- 2. Refers the report to the incoming Council to help inform their strategic planning priorities**
- 3. Includes a notice in the Council column in local newspapers advising that the report is available on Council's website.**

173-23/24     CARRIED

**12. NOTICES OF MOTION**

Nil

**13. NOTICES OF RESCISSION**

Nil

**14. URGENT BUSINESS**

Nil

**15. CONFIDENTIAL BUSINESS**

These appendices have been classified as being confidential in accordance with section 66(2)(a) and Part 1, section 3 of the *Local Government Act 2020* as they relate to:

(g) *private commercial information, being information provided by a business, commercial or financial undertaking that:*

(ii) *if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage*

C.A. 1 (g) Tender Evaluation for Contract No. 24/25-07:  
Design and Construct of 2 Play Spaces - Strathbogie and Moglonemby

C.A. 2 (g) Tender Evaluation for Contract No. 24/25-02:  
Roads Reseal Program 24/25

C.A. 3 (g) Tender Evaluation for Contract No. 23/24-78:  
Footpath Patching and Repair - Panel of Suppliers

C.A. 4 (g) Tender Evaluation for Contract No. 24/25-01:  
Major Patching Program 2024-2025

C.A. 5 (g) Tender Evaluation for Contract No. 23/24-78:  
Footpath Patching and Repair - Panel of Suppliers

## **NEXT MEETING**

The next monthly meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday 17 September 2024, at the Euroa Community Conference Centre, at 6.00 pm.

**THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 8:41 PM**

Confirmed as being a true and accurate record of the Meeting

.....  
Chair

.....  
Date